

1
2 COUNCIL OF THE CITY OF PHILADELPHIA
3 PUBLIC HEARING AND PUBLIC MEETING
4 BEFORE JOINT COUNCIL COMMITTEES
5 PUBLIC SAFETY AND LEGISLATIVE OVERSIGHT

6 - - -
7 Room 400, City Hall
8 Philadelphia, Pennsylvania
9 Tuesday, 12/4/01
10 2:17 p.m.
11 - - -

12 RES. 010575 - Authorizing City Council's Public
13 Safety and Legislative Oversight Committees to hold
14 public hearings on the status and condition of the
15 Philadelphia Fire Department's equipment and safety
16 gear.

17 COUNCILMEMBERS PRESENT:

18 Angel Ortiz, Chair, Public Safety
19 James F. Kenney, Chair, Legislative Oversight
20 Darrell L. Clarke
21 Blondell Reynolds Brown
22 Donna Reed Miller
23 Frank Rizzo

24 - - -
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2 COUNCILMAN ORTIZ: Good afternoon, good
3 afternoon. This is a hearing of the Committee on
4 Public Safety and Legislative Oversight, with Jim
5 Kenny as the Chair of the Committee on Legislative
6 Oversight, and I as the Chair of the Committee on
7 Public Safety.

8 Before we begin, could the clerk read the
9 resolution before I introduce Councilman Jim Kenney
10 for some introductory remarks.

11 COUNCILMAN KENNEY: Well, I'll --
12 Mr. Chairman, if I may, with your permission, I'll
13 act as clerk.

14 Resolution No. 010575, a resolution
15 authorizing City Council's Public Safety and
16 Legislative Oversight Committees to hold public
17 hearings on the status and condition of the
18 Philadelphia Fire Department's equipment and safety
19 gear.

20 COUNCILMAN ORTIZ: Thank you.

21 Councilman, do you have any words?

22 COUNCILMAN KENNEY: Thank you very much,
23 Mr. Chairman.

24 In light of the recent national tragedy of
25 9/11, I want to reiterate my constant gratitude and

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2 the gratitude of this committee of City Council and
3 the City to our firefighters for the risks that they
4 take every day on behalf of Philadelphia citizens.
5 I believe it is critical that the City must be there
6 for our firefighters just as they have been there
7 for us, and so the City must ensure that our
8 firefighters have all of the necessary equipment,
9 current equipment, to get their jobs done without
10 unduly risking anyone's safety.

11 I called for this hearing today because I
12 have become concerned that the City may not be doing
13 enough in this regard, and hope that we can get to
14 the bottom of that and clear up some of the concerns
15 that have been expressed recently. So I thank
16 everyone for coming, and I appreciate your
17 testimony.

18 With that, I would like to ask
19 Commissioner Hairston to come to give his testimony
20 and to be available for questioning.

21 (Witnesses come forward.)

22 COUNCILMAN KENNEY: Does everyone have
23 copies of the Commissioner's testimony, the members
24 of the committee? We had it beforehand and I thank
25 the Commissioner for providing the testimony early

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2 enough prior to the hearing.

3 Good afternoon. Please identify yourself
4 for the record. Commissioner, please identify
5 yourself for the record.

6 COMMISSIONER HAIRSTON: Yes, I'm Harold
7 Hairston, the Fire Commissioner for the City of
8 Philadelphia. I'd like to say good afternoon to all
9 you gentlemen.

10 COUNCILMAN KENNEY: Good afternoon.

11 COMMISSIONER HAIRSTON: With me is Deputy
12 Commissioner William McNulty, Deputy Commissioner
13 Lloyd Ayers, and Deputy Commissioner John McGrath
14 and representatives of relevant departments within
15 our department, and they will be available for any
16 kind of follow-up questions that you might have.

17 COUNCILMAN KENNEY: Thank you.

18 COMMISSIONER HAIRSTON: Through my tenure,
19 this department has worked diligently to provide the
20 best apparatus, equipment, and safety gear
21 available, and both the Rendell and Street
22 administration responded positively to our efforts.

23 Our apparatus fleet is good as I've seen
24 anyplace around the country. Our first-line
25 apparatus are in full compliance with NFPA

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2 standards, with the exception of two older pieces
3 whose open-cab design is the only standard
4 exception. Our personal protective ensembles, which
5 include turnout clothing, helmets, gloves, and
6 protective hoods are constantly being evaluated so
7 our members are provided with the safest protection
8 possible. State-of-the-art contained breathing
9 apparatus is now in use by our members, and
10 everybody has individual masks.

11 The Department provides relevant effective
12 training on a year-round schedule, which allows all
13 of our members to operate in danger environments
14 effectively and safely. Some training initiatives
15 of the Department are: Back To Basics, our
16 curriculum of continuing education designed to
17 enhance basic skills; our Rapid Intervention
18 Training, which is a course designed to enhance
19 survivability of firefighters on the fire grounds;
20 and continuing medical education, a course that
21 hones the skills of our emergency medical
22 technicians.

23 Specifications are being prepared as we
24 speak for a new ventilation system in all of our
25 apparatus areas to quickly and automatically expel

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2 diesel exhaust. The Department initiated an
3 Infectious Disease Control Office dedicated
4 exclusively to the issue of infectious exposure to
5 our members, staffed by a fully qualified,
6 credentialed emergency medical professional, with
7 seven years -- several years, rather, of experience
8 in infection control, just to give examples of
9 what's been done recently.

10 The Aircraft Rescue Firefighting Unit
11 assigned to the assigned by the Philadelphia Fire
12 Department to Philadelphia's International Airport
13 operates and maintains equipment and a fleet of
14 apparatus specifically designed for response to and
15 the mitigation of aircraft incidents and disasters.
16 This unit is equipped with the latest
17 state-of-the-art equipment and apparatus for this
18 specialized area of emergency response. Many
19 representatives of other major airports around the
20 country and, in some cases, from overseas have
21 either visited this unit to see this operation or
22 have requested information on the equipment and
23 operational procedures employed by us.

24 The personal safety equipment issued to
25 members assigned to this unit is appropriate to the

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2 task and, in many cases, exceeds that of other
3 airports.

4 To get a better perspective from the
5 operations level, my staff and I met with the
6 executive board of Local 22 to review the issues
7 that were important to them. They expressed four
8 areas of interest:

9 They would like a second set of bunker
10 gear, just the coats and the trousers.

11 COUNCILMAN ORTIZ: Excuse me,
12 Commissioner, could you explain what bunker gear is
13 other than coats and trousers? What does it do?
14 What is it?

15 COMMISSIONER HAIRSTON: It's gear
16 specifically designed to keep a firefighter safe
17 while he engages in structural firefighting. It's
18 the pants that you see people wearing on television
19 with the reflective stripes and the coats that are
20 meant to repel water and protect you from dangerous
21 environments, and it helps you to withstand the heat
22 from a fire.

23 COUNCILMAN ORTIZ: Okay.

24 COMMISSIONER HAIRSTON: Those sets cost
25 about \$960 apiece.

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2 They would like to provide bunker gear
3 cleaning service to clean their running gear. Their
4 running gear is considered bunker gear.

5 They would like a wellness and fitness
6 committee to form and meet as soon as possible to
7 work on these issues, and this has already been
8 scheduled.

9 They would like the City to resume the
10 enforcement of existing civil service regulations on
11 age restrictions for new recruits.

12 Finally, our technical service and safety
13 units are working continuously to research new
14 equipment and ideas. The safety of our people has
15 been, and continues to be, of paramount importance
16 to me and my staff.

17 And I'll be happy to answer any questions
18 you might have.

19 COUNCILMAN KENNEY: Thank you very much,
20 Commissioner and thank you for your testimony.

21 Let me try to get some parameters
22 established on what we're talking about. And the
23 numbers that I have -- and you can correct me if I'm
24 wrong -- we have 2400 firefighters?

25 COMMISSIONER HAIRSTON: That's 2405.

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2 COUNCILMAN KENNEY: 2405?
3 COMMISSIONER HAIRSTON: 2405.
4 COUNCILMAN KENNEY: 84 engines?
5 COMMISSIONER HAIRSTON: No.
6 COUNCILMAN KENNEY: What do we have?
7 COMMISSIONER HAIRSTON: Actually, I have a
8 sheet that happens to be with me, and I'll just
9 rattle some of those things to --
10 COUNCILMAN KENNEY: That would be helpful.
11 Thank you.
12 COMMISSIONER HAIRSTON: It would be easier
13 to deal with it that way.
14 (See attached Philadelphia
15 Fire Department Fact Sheet.)
16 COMMISSIONER HAIRSTON: There are 2
17 divisions, 11 battalions, 63 stations, 61 engine
18 companies (Quint 69 is counted as a frontline
19 engine), 29 ladder companies, 2 marine units, 40
20 medic units, 2127 uniformed firefighting personnel,
21 309 uniformed emergency medical service personnel.
22 The specialized units include the heavy
23 rescue unit, a hazardous materials unit, 3 Decon
24 units --
25 COUNCILMAN ORTIZ: Excuse me,

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2 Commissioner.

3 COUNCILMAN KENNEY: I'm going to ask
4 you -- if you can give that sheet to our staff,
5 we'll have it copied.

6 COMMISSIONER HAIRSTON: Okay.

7 COUNCILMAN KENNEY: Okay. What I'm
8 concerned about right now, as far as the apparatus
9 is concerned, is the number of actual fire engines,
10 the engine company pumper trucks that we have. How
11 many are there? My information, it's 84.

12 COMMISSIONER HAIRSTON: That may be true,
13 I don't know. Where is Jack?

14 COUNCILMAN KENNEY: If anyone from Fleet
15 Management or whoever would have that information --

16 COMMISSIONER HAIRSTON: My apparatus
17 officer knows this stuff like the back of his hand
18 and he'll rattle it right off to you just like --
19 better than me looking for it.

20 (Witness comes forward.)

21 COUNCILMAN KENNEY: Could you please
22 identify yourself for the record.

23 COMMISSIONER HAIRSTON: This is Jack
24 Maguire. Jack Maguire is a captain who works for us
25 at headquarters, and he's considered our apparatus

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2 officer.
3 COUNCILMAN KENNEY: Please proceed with
4 your testimony.
5 CAPTAIN MAGUIRE: Okay, We have 88
6 pumpers.
7 COUNCILMAN KENNEY: Sorry?
8 CAPTAIN MAGUIRE: 88 pumpers.
9 COUNCILMAN KENNEY: 88?
10 CAPTAIN MAGUIRE: That's correct.
11 COUNCILMAN KENNEY: How about --
12 (Unintelligible; parties
13 talking over each other.)
14 CAPTAIN MAGUIRE: We have frontline
15 reserved apparatus, which is a backup apparatus --
16 COUNCILMAN KENNEY: Of the 88, how many
17 are on the front line?
18 CAPTAIN MAGUIRE: 60.
19 COUNCILMAN KENNEY: And how many ladder
20 trucks do we have?
21 CAPTAIN MAGUIRE: 39.
22 COUNCILMAN KENNEY: And they're all in
23 frontline service or they're --
24 CAPTAIN MAGUIRE: 29 are frontline.
25 COUNCILMAN KENNEY: 10 in reserve.

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2 CAPTAIN MAGUIRE: That's correct.

3 COUNCILMAN KENNEY: Okay. What federal
4 standards pertain to the maintenance of ladder
5 trucks and fire engines, and how do we comply with
6 those regulations, and are there copies of the
7 federal standards available that we could read?

8 CAPTAIN MAGUIRE: The NFPA standard 1901
9 addresses fire apparatus, specifically the
10 construction and their standards, and I do have a
11 copy here.

12 COUNCILMAN KENNEY: I don't know if we can
13 get it today, but if --

14 (Captain Maguire confers with
15 Commissioner Hairston off the
16 record.)

17 COUNCILMAN KENNEY: Well, could you
18 explain what standards we attempt to comply with?

19 CAPTAIN MAGUIRE: NFPA.

20 COUNCILMAN KENNEY: And what does that
21 stand for?

22 CAPTAIN MAGUIRE: National fire protection
23 association

24 COUNCILMAN KENNEY: And that's really an
25 association, not a federal -- it's not an OSHA or a

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2 federal --

3 CAPTAIN MAGUIRE: That's correct. It's
4 made up of manufacturers plus fire department
5 representatives from all over the country.

6 COUNCILMAN KENNEY: And these are
7 generally complied with by major fire departments
8 throughout the country?

9 CAPTAIN MAGUIRE: Generally, yes

10 COUNCILMAN KENNEY: Okay. Can you give- I
11 mean, New York, Boston, Chicago, Los Angeles,
12 Houston, cities of that size?

13 CAPTAIN MAGUIRE: For the most part, yes.

14 COUNCILMAN KENNEY: Okay. And those NFPA
15 standards, is there recommended life spans for
16 particular pieces of apparatus? What would -- how
17 old is old and at what age do they need to be
18 considered to be replaced?

19 CAPTAIN MAGUIRE: That's really a relative
20 question. I mean, it depends on their use, it
21 depends on the area they're located in, it depends
22 on their construction. Many variables apply here.

23 I think generally the range is -- and 15
24 to 20 years is generally accepted as the life span
25 of the fire apparatus.

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2 COUNCILMAN KENNEY: Okay. And the life
3 span expectancy is based on the manufacturer too who
4 built the piece of equipment? Or is it just in
5 general?

6 I'll give you an example. We have, as far
7 as I know -- and part of the purpose of this hearing
8 is to clear up information that we may have that you
9 guys will either confirm or dispel and give us the
10 correct information so that we as the Public Safety
11 and Legislative Oversight Committees and Council in
12 general has a real idea of what the equipment's
13 issues are facing the Fire Department, what we have,
14 what we need, so that we can plan in the future when
15 it comes to the issues of capital expenditures.

16 CAPTAIN MAGUIRE: Sure.

17 COUNCILMAN KENNEY: So my understanding is
18 that we have 12 1984 of what are called C-grave
19 pumpers. Is there a way that you could either
20 confirm or --

21 CAPTAIN MAGUIRE: No, actually, we 13 1984
22 C-grave pumpers.

23 COUNCILMAN KENNEY: 13?

24 CAPTAIN MAGUIRE: Yeah, That's correct.

25 COUNCILMAN KENNEY: 84s?

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2 CAPTAIN MAGUIRE: That's correct.
3 COUNCILMAN KENNEY: Okay. And they're --
4 I guess if my math is right, they're 17 years old?
5 CAPTAIN MAGUIRE: That's correct.
6 COUNCILMAN KENNEY: And how does that
7 17-year number compare with -- or what's the
8 recommended life span of a C-grave pumper that was
9 purchased in 1984?
10 CAPTAIN MAGUIRE: Well, again, there's no
11 recommended life span, and it's really a guideline.
12 I mean, you can have a 1984 apparatus that has
13 hardly ever been used out in the middle of nowhere,
14 and it's like brand spanking new.
15 In the City of Philadelphia, it's a little
16 bit, it seems (inaudible).
17 COUNCILMAN KENNEY: So we're a pretty busy
18 city.
19 CAPTAIN MAGUIRE: That's correct
20 COUNCILMAN KENNEY: And the most -- I
21 would suspect as a general rule, most of our
22 equipment has been used on a regular basis and very
23 active.
24 CAPTAIN MAGUIRE: That's correct.
25 COUNCILMAN KENNEY: Okay.

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2 COUNCILMAN ORTIZ: Can I follow up on
3 that? In those 17 years, have there been
4 technological advances in terms of this equipment?

5 CAPTAIN MAGUIRE: Oh, of course, yes

6 COUNCILMAN ORTIZ: And are the newer
7 ones -- how do the newer ones compare with the one
8 that we have that is 17 years old?

9 COUNCILMAN KENNEY: I'm sorry, what is our
10 newest model? What age is our newest pumper?

11 CAPTAIN MAGUIRE: Our newest pumper is a
12 1999 emergency one.

13 COUNCILMAN KENNEY: Okay. And how many do
14 we have of those?

15 CAPTAIN MAGUIRE: One.

16 COUNCILMAN KENNEY: Okay.

17 COUNCILMAN ORTIZ: How does it compare,
18 the 17-year-old, with the ones that are currently
19 coming off into line?

20 CAPTAIN MAGUIRE: An example, Councilman,
21 would be a 1984 automobile to a 2002 automobile. I
22 mean, you know, if --

23 COUNCILMAN ORTIZ: But I want to know in
24 terms of what it does and does it do it better?

25 COMMISSIONER HAIRSTON: Let me try to

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2 answer this for you.

3 The older pieces did not have enclosed
4 caps on them; that's the primary difference. The
5 new newer pieces and our frontline pieces, with the
6 exception of two, all have enclosed cabs. The older
7 pieces that we've had around for a while do not have
8 enclosed cabs.

9 That's the real difference in them.

10 COUNCILMAN ORTIZ: Okay, thank you.

11 COMMISSIONER HAIRSTON: Those are reserve
12 pieces. We have a rather extensive reserve fleet.
13 So if a piece goes down or we get a multiple-alarm
14 fire or anything like that, we can call people in,
15 they can man those things, and then we can go in and
16 serve --

17 COUNCILMAN ORTIZ: So that's the only
18 difference between one that is 17 years old, it has
19 closed cabs?

20 COMMISSIONER HAIRSTON: Well, certainly it
21 would not be the only difference. The example that
22 he tried to use is the difference in a car that
23 would be that old. There's a difference in
24 suspension systems, there's a difference in the ride
25 of it, a difference in the fact that we

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2 air-condition pieces now, there's a difference in
3 the comfort that's available, there's a difference
4 in the way you sit in them, there's a difference in
5 the way the compartments are formulated. We now
6 have things that roll up and roll down.

7 There's a big difference in looking at a
8 modern apparatus that is brand new compared to one
9 that is older.

10 COUNCILMAN ORTIZ: Is there a difference
11 in terms of the other aspects of it that aid in
12 fighting a fire?

13 COMMISSIONER HAIRSTON: Well, the newer
14 pieces are certainly more capable. They have a
15 larger capacity in terms of their pumping capacity.

16 COUNCILMAN ORTIZ: That's interesting.

17 COMMISSIONER HAIRSTON: You know, but
18 they're still considered Class A pumpers. They're
19 able to fully go in service and extinguish a fire.
20 And we have the fortunate circumstances of having a
21 fleet that is extensive enough as to where that if a
22 piece, for some reason, doesn't start, we can go and
23 service immediately with one that is fully loaded.

24 COUNCILMAN ORTIZ: Okay.

25 COMMISSIONER HAIRSTON: And if one is

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2 going to be out of service for a protracted period
3 of time, we have others that are in the fleet that
4 can take their place until such time as the one that
5 is the newer could be repaired and then sent back to
6 the fleet.

7 COUNCILMAN KENNEY: I just want to go over
8 some of the equipment so we know what we're
9 talking -- so we know that we're comparing apples to
10 apples and oranges to oranges.

11 So we've dealt with the pumper issue;
12 there are 13 of them that are 17 years old.

13 We have, according to my numbers 9 n1987
14 emergency one pumpers; is that a correct number?

15 CAPTAIN MAGUIRE: Yes, it is.

16 COUNCILMAN KENNEY: Okay. And they're
17 obviously 14 years old.

18 CAPTAIN MAGUIRE: That's correct.

19 COUNCILMAN KENNEY: And one 1979 American
20 La France pumper.

21 CAPTAIN MAGUIRE: That's also correct.

22 COUNCILMAN KENNEY: Okay. What's the
23 difference between the American La France and the
24 C-grave; is one a larger, more effective unit, or
25 they're just different ages and different models?

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2 CAPTAIN MAGUIRE: Different ages,
3 different models, different manufacturers. However,
4 the '87 are in closed cabs.
5 COUNCILMAN KENNEY: Okay. And we also
6 have a 1986 Mack tower ladder?
7 CAPTAIN MAGUIRE: That's correct.
8 COUNCILMAN KENNEY: Okay, and that's 15
9 years old, okay.
10 My understanding also is that the
11 Department has also ordered three tiller ladders to
12 date?
13 CAPTAIN MAGUIRE: Yes.
14 COUNCILMAN KENNEY: New ones, and still
15 needs a -- is there a need for a replacement of an
16 additional two?
17 CAPTAIN MAGUIRE: We have two that we will
18 be ordering, adding to the order of three.
19 COUNCILMAN KENNEY: So there's five total?
20 CAPTAIN MAGUIRE: Yes.
21 COUNCILMAN KENNEY: And of the three
22 tiller ladders -- right now, what do we have in
23 service? Do we have five in service even though
24 they're older? The three that we've ordered --
25 we've ordered three already and we're going to order

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2 two, so we're ordering five.
3 CAPTAIN MAGUIRE: That's correct.
4 COUNCILMAN KENNEY: How many tiller
5 ladders are in service now?
6 CAPTAIN MAGUIRE: As of right now, there
7 are 24.
8 COUNCILMAN KENNEY: 24. And do we have an
9 average age on them; do you know? I mean, any
10 information that you can't provide to me at this
11 hearing in the immediate questioning, please feel
12 free to tell me, and then you can provide it at a
13 later date.
14 CAPTAIN MAGUIRE: The average age of our
15 frontline tiller ladders is five years old.
16 COUNCILMAN KENNEY: Five years.
17 CAPTAIN MAGUIRE: Yes.
18 COUNCILMAN KENNEY: Okay. And do you know
19 what the oldest is?
20 CAPTAIN MAGUIRE: 11 years old.
21 COUNCILMAN KENNEY: Okay, all right. Can
22 you give me an idea on the age, the average age, of
23 our medic units, how many we have and how many are
24 recommended for replacement?
25 CAPTAIN MAGUIRE: Medic units, we have a

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2 total of 56. The average age of our frontline medic
3 units, which we have 40, is 3 years old. The
4 average age of our reserve medic fleet is 6.4 years.
5 COUNCILMAN KENNEY: And what's the average
6 recommended life span under NFPA of a medic unit?
7 CAPTAIN MAGUIRE: Typically, a medic unit
8 is --
9 COUNCILMAN KENNEY: They run a lot.
10 CAPTAIN MAGUIRE: They get a lot more use;
11 it's a lot shorter than --
12 COUNCILMAN KENNEY: Right, they run a lot
13 more than --
14 COMMISSIONER HAIRSTON: I guarantee it's
15 20.
16 CAPTAIN MAGUIRE: Yeah, there's a couple
17 different areas when we speak of life span. We have
18 a modular box in the back of the medic unit --
19 COUNCILMAN KENNEY: Right.
20 CAPTAIN MAGUIRE: -- which is generally
21 good for 15 to 20 years because you just take that
22 box, lift it off of that chassis and place it onto
23 another chassis. So the box will hold up and last a
24 long time.
25 However, the chassis and the cab is a

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2 different story.

3 COUNCILMAN KENNEY: Okay. And let me go
4 back to one of the questions I asked of the
5 Commissioner relative to federal standards. Are
6 there federal standards, and do we just comply with
7 NFPA? Or are there federal standards also? If
8 there are no federal standards, then we'll continue
9 to just talk about NFPA.

10 CAPTAIN MAGUIRE: Generally NFPA is the
11 accepted standard.

12 COUNCILMAN KENNEY: Are there any federal
13 standards that you're aware of? No? Not that there
14 has to be; I just wanted to know if there is.

15 CAPTAIN MAGUIRE: No.

16 COUNCILMAN KENNEY: Commissioner, in
17 response to the initial questioning or in response
18 to your testimony, you had said in your opinion,
19 Philadelphia, compared to cities around the country,
20 is, you know, right up there or ahead of many other
21 cities in the country. I'm paraphrasing what you
22 said but maybe you can elaborate on that.

23 COMMISSIONER HAIRSTON: Right, that was
24 pretty good, that was a pretty good recollection of
25 it.

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2 COUNCILMAN KENNEY: Thank you.

3 Where have we -- what's the method of our
4 comparison? How do we determine whether or not we
5 are keeping pace, whether we're behind or ahead? Do
6 we send people out to visit these fire departments,
7 do se share information with them? How do we --
8 what is the standard with which we judge ourselves
9 based on other cities like New York and -- obviously
10 New York, sadly, is going to have to buy a lot of
11 equipment recently.

12 But I'm just curious as to how we judge
13 our comparison with other cities.

14 COMMISSIONER HAIRSTON: Basically all of
15 the above. It's a case where we're doing surveys
16 constantly, where we call other cities to see what
17 they're doing, to see the age of their fleet. We
18 call generality the major cities. We allow our
19 people to visit other cities. We send them to
20 conferences, we send them to shows.

21 Whenever we're about to take possession of
22 an apparatus, almost invariably I'll get a phone
23 call and am asked if we will allow our apparatus be
24 in a show. We've become the standard in a lot of
25 cases for certain types of features and that kind of

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2 thing that we have on trucks.

3 I don't know whether you realize it or
4 not, but we spent close to -- over the last seven
5 years, we've spent close to \$25 million. We have
6 about \$6 million that's going to be spent over the
7 next two years.

8 Out of the 300 trucks and cars and
9 vehicles that we have in our fleet, 199 of them have
10 been replaced over the last seven years.

11 COUNCILMAN KENNEY: Have we had any
12 outside consultant, outside recognized organization,
13 through NFPA or otherwise, come in and do analysis
14 of our department? Obviously, you know, we have
15 experts within our department, people who are
16 extremely competent and have been in the department
17 for a long time and, frankly, know their business.
18 It's always nice sometimes, though, to maybe get
19 somebody from outside to come in and say, You know,
20 you guys are really doing a good job.

21 Have we had any outside consultation or
22 examination of our fleet, of our personal safety
23 gear, of all of that stuff that we want to provide,
24 that all of us want to provide for our employees to
25 be safe? Have we ever done that under your tenure?

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2 And even prior to your tenure, have we ever done
3 that kind of investigation?

4 COMMISSIONER HAIRSTON: I don't remember
5 anybody ever inviting anybody in like that. What we
6 do is allow our people to do that research, and
7 wherever the research leads to, that's where it
8 leads to. And whatever recommendations they put
9 forth, we discuss them, and if they make sense and
10 they're reasonable, we try to do them.

11 We allow our people a lot of leeway in
12 this regard. They are free to say whatever they
13 want to say, they're free to -- I mean, you can call
14 anybody that's among the group and you can ask them
15 what steps they take to make the decisions that they
16 make, and I think that they would give you what I
17 would consider reasonable answers based on this.

18 But do we have somebody that we trust that
19 would -- where we would call up and then give them a
20 contract for something that we already know? The
21 answer to that is no.

22 COUNCILMAN KENNEY: I'm not suggesting we
23 do that; I'm suggesting that from time to time in
24 any large organization, despite the capabilities and
25 qualifications of the people involved, it's always

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2 nice to kind of double-check your figures,
3 double-check your work, and maybe somebody could,
4 you know, validate in fact that what our people are
5 saying is in fact true and we're doubly sure that
6 that's the case.

7 I guess the concern is that despite what
8 our own personnel may recommend, despite what they
9 look at and what they study, we do live in the
10 constraints of municipal finance and paying for the
11 things that we need. Obviously we could go out and
12 replace every piece of apparatus in our department,
13 and would that be a reasonable thing to do
14 considering the constraints of running a city
15 government? Probably not.

16 But I'm wondering whether or not in the
17 formulation of the request for what we need, is it
18 based in addition to what we need and also what we
19 can afford? And does that sometime constrain our
20 ability to request what we need?

21 COMMISSIONER HAIRSTON: I think the person
22 that could probably answer that question better than
23 me would be Reilly Harrison, who's in here, and if
24 you want, I can have Jack move over or we can make a
25 space for him, and he can come up here and tell you

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2 what he goes through before he makes the final
3 decision.

4 He has the tendency to work very closely
5 with us. His office works very closely with our
6 people in terms of what we desire, what features we
7 look for, and he can tell you, I'm sure, what steps
8 that he's taken to ensure that our fleet is as good
9 as I'm saying that it is.

10 And I'm sure that Jack over here can tell
11 you where he's been, what he's done in order to
12 ensure that the information he gives to me or what
13 suggestions me makes through his boss are, in fact,
14 the best, in the best interests of the Department,
15 its citizens, as well as for the safety of the
16 individuals that we serve.

17 COUNCILMAN KENNEY: I mean, you know, I
18 don't want to make any misunderstanding. This isn't
19 a discussion, you know, about how many swing sets we
20 buy the Recreation Department. I mean, obviously,
21 you know, everybody's who's concerned about the
22 safety of both the citizenry and the firefighting
23 personnel, as all the people here who work for the
24 Department are, I just want to make sure that we
25 maybe have at sometime in our history some outside

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2 validation that it in fact is true. But I intend to
3 ask Mr. Harrison in a little while a couple other
4 questions, so I'll hold them for now.

5 My questions on this round of actual
6 equipment is over and I'd be happy to have the
7 chairman move on. But I do have some issues on -- I
8 have some personal safety questions and, of course,
9 we want to talk about the carbon monoxide issue in
10 Manayunk.

11 COUNCILMAN ORTIZ: I'll get to you.

12 COUNCILMAN KENNEY: Okay.

13 COUNCILMAN ORTIZ: One question,
14 Commissioner. Given the events of September 11th,
15 obviously, that has put a brand-new face in terms of
16 how fire departments in this country are going to be
17 organized, 'cause nobody ever thought that something
18 of that nature and insanity could ever happen.

19 But how are we, in terms of equipment,
20 prepared, your department for the brand-new things
21 that are being mentioned in terms of germ warfare,
22 in terms of biological and a bacteriological
23 situation? In terms of equipment, how are you set
24 up in order to handle instances of that type of
25 nature?

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2 COMMISSIONER HAIRSTON: I'm going to
3 invite Deputy Chief Andrew Rossini up to the table
4 because he's a person who we have allowed to gain a
5 tremendous amount of expertise, and he has a lot of
6 experience, and he can tell you what we've done and
7 how we have responded.

8 And after that, I'll tell you about some
9 of the things that we have talked about doing. And
10 we do have plans to give ourselves more redundancy
11 in certain areas.

12 (Witness comes forward.)

13 DEPUTY CHIEF ROSSINI: Good afternoon. As
14 the Commissioner said, my name is Andrew Rossini.
15 I'm a deputy chief with the Philadelphia Fire
16 Department. I've been a deputy chief for 16 years
17 this Saturday, and I have a total of 31 years of
18 service.

19 COUNCILMAN KENNEY: Congratulations.

20 DEPUTY CHIEF ROSSINI: Thank you.

21 Some years ago, back in 1995, the federal
22 government reached out to the local municipalities
23 around the country and they put their primary
24 emphasis on the 120 largest cities. At that time,
25 the lead in that federal community was the

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2 Department of Defense. There was also participation
3 by FEMA, the Department of Justice, and the United
4 States Public Health Service.

5 What happened was, after a couple of
6 conferences and other types of evaluation processes,
7 some of which the local community fire service, fire
8 departments were involved in, and some, they
9 weren't, a plan was developed. The plan included
10 training as a first step, general education of what
11 the possible threats would be. And the reason the
12 Department of Defense took the lead was because they
13 were the people who knew the most about chemical
14 warfare agents and biological warfare agents.

15 So they contacted the city fathers and the
16 Fire Commissioner and others, and I was designated
17 to be a coordinator, and I was assigned to the
18 Office of Emergency Management where we worked with
19 the Department of Defense representatives. And in
20 August of '97, we ran an extensive training program
21 under the banner of the Office of Emergency
22 Management.

23 That training program -- and I apologize I
24 don't have the total numbers with me, but that
25 training program was a Train the Trainer initiative.

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2 And what happened was, several hundred people -- 400
3 in the Fire Department alone -- went through the
4 Train the Trainer Program so that could be better
5 prepared to deal with a chemical or biological
6 exposure. The emphasis is on chemical because it's
7 something you can manage.

8 At the end of that week, there was a
9 table-top exercise where the city and federal and
10 state agencies participated in a "what if," and the
11 scenario, for your information, was a chemical
12 release at the old Philadelphia Festival on Labor
13 Day weekend.

14 So after that portion of the program was
15 concluded, we and other departments went ahead, and
16 as it was titled "Train the Trainer," we reached out
17 at the company level and we brought every officer
18 and member of the Fire Department through the
19 different training modules, depending upon their
20 rank and their responsibilities.

21 At the same time, the Department of
22 Defense issued a \$300,000 loan in kind, I guess, is
23 what you would call it best. It was equipment that
24 the fire community didn't have. Some of it actually
25 wasn't authorized for civilian use until this

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2 (indiscernible) managing program began.

3 Simultaneous to that, the United States
4 Public Health Service issued for Philadelphia a
5 \$350,000 grant. And with that money, we bought a
6 considerable amount of pharmaceuticals, antidote
7 kits for nerve agent attack and other similar
8 equipment and devices. On the Department of Defense
9 side of the house, we deployed a lot of equipment --
10 monitoring equipment and personal protective
11 equipment for our personnel.

12 Basically, there's a defensive mode and an
13 offensive mode in which to operate, and what we
14 tried to do is train all of the Fire Department
15 personnel to recognize the possibility of a chemical
16 agent. Depending on the signs and symptoms of the
17 victims we find, they would don the appropriate
18 protective equipment and be able to function in
19 limited ways.

20 COUNCILMAN ORTIZ: Do we have enough
21 equipment in hand to be able to handle the emergency
22 that you just described?

23 DEPUTY CHIEF ROSSINI: We have enough
24 equipment on our trucks that every person on the
25 scene should be able to put on a protective

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2 ensemble, a combination of a chemical-type suit, a
3 couple different levels, an SCBA, which is -- the
4 primary protective factor in this environment is
5 respiratory protection. So the SCBA, self-contained
6 breathing apparatus, is our primary mechanism.

7 At the hazardous materials level, we have
8 much more extensive equipment, training, and
9 personal protective equipment.

10 We've also done something to support our
11 hazardous materials team. In three locations around
12 the City, we've identified engine companies and
13 ladder companies that live in the same fire station
14 and we've given them additional training and
15 additional equipment, including decontamination
16 equipment.

17 Now, we didn't try to make those people
18 hazardous-materials technicians, but we tried to
19 train them so that they could do decontamination
20 work, because the secret to defense against a
21 particular chemical exposure is the rapid
22 decontamination of the victims, because once you
23 remove the victim from the agent -- or the other way
24 around, then the effects begin to subside, and if
25 the victim hasn't suffered a lethal concentration

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2 already, there's a good chance of recovery.

3 COUNCILMAN ORTIZ: How do we go about,
4 then, protecting the general population in terms
5 of -- you see a problem, it happens, you have
6 protective gear. Are there issues, then, of plans
7 of evacuating or plans of just removing endangered
8 population from basic areas? And do we have a plan
9 that goes towards that in terms of bacteriological
10 and chemical warfare?

11 DEPUTY CHIEF ROSSINI: Well, let me start
12 to speak about the chemical first. Many of our
13 plans and the City's plans, not just the Fire
14 Department, but many of the emergency plans are
15 applicable for this; they deal with mass casualties,
16 they deal with shelter in place, and they deal with
17 evacuations. So we can apply any of those plans to
18 the mechanism of a chemical attack.

19 COUNCILMAN ORTIZ: So what happens? We
20 get -- something happens, we get an attack.

21 DEPUTY CHIEF ROSSINI: Okay.

22 COUNCILMAN ORTIZ: You bring your people,
23 and they have all of the equipment necessary to
24 start fighting. What are the other steps that are
25 then taken to protect the general population?

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2 DEPUTY CHIEF ROSSINI: Well, in the case
3 of a chemical attack where we had a scene to manage,
4 we would start out there in an evacuation or a
5 shelter-in-place operation, or perhaps a
6 combination. Chemical agents and
7 naturally-occurring -- or, not naturally occurring,
8 but industrial chemicals, in many instances, the
9 best protection is to do a shelter in place, where
10 you get the people who are occupying a building and
11 shut down the ventilation systems, seal up the
12 windows to the extent possible, and have them in a
13 standby mode under proper management control, of
14 course, until the hazard is abated or passes.
15 Because to run them out of the building would
16 perhaps be running them right into harm's way.
17 So the incident commander on the scene of
18 the emergency would have to make that assessment and
19 decide whether or not to order an evacuation. If
20 you order an evacuation, you have to take into
21 consideration how much agent is in the air, how much
22 chemical, what is the threat, how big is the threat,
23 where you're going to move all of these people to,
24 and how quickly they can be moved. For example, a
25 nursing home, it's a bigger challenge as far as

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2 speed to move people.

3 So we might apply a combination of shelter
4 in place and evacuation.

5 COUNCILMAN ORTIZ: And we have equipment
6 to be able to do that?

7 DEPUTY CHIEF ROSSINI: Well, it's people
8 fire people and, to a lesser extent, police people
9 who would move the folks out of the way. And our
10 mission would be to rescue those folks who are not
11 mobile, are not under their own capabilities or
12 ambulatory, and that's part of the fundamental
13 training. You sort the ambulatory from the
14 non-ambulatory and then you take the effort to treat
15 and decontaminate the non-ambulatory.

16 COUNCILMAN KENNEY: What equipment do we
17 have to determine the level of contamination in an
18 airborne, for example -- your example, in Old City,
19 where there are some airborne chemical that is
20 infecting the people there? How do we determine the
21 volume of what exists in the air and what procedures
22 appropriate to move people safely or to deal with
23 them safely? Do we have --

24 DEPUTY CHIEF ROSSINI: Yes.

25 COUNCILMAN KENNEY: Okay, could you

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2 explain what they are?

3 DEPUTY CHIEF ROSSINI: Well, we have
4 several testing devices, and I don't work with them
5 every day and I'm not familiar with the mechanics.
6 But there are several different monitoring-type
7 devices. There's a thing called an ADP 2000,
8 there's drug and chemical testing sets. And our
9 haz. mat. technicians are trained and qualified to
10 use these devices so that they can get readings on
11 what type of agent it is and what the concentrations
12 are.

13 To be perfectly complete in my answer,
14 that takes time. So what we rely on is the
15 fundamental training that the military has used for
16 all the years they've been preparing for chemical
17 warfare. And that is what we simply refer to as
18 "signs and symptoms." If we see people who are
19 exhibiting the signs and symptoms of a nerve agent
20 attack, that triggers us into going into this kind
21 of an operation. And then we supplement and back
22 that up, our decision, by doing testing and
23 monitoring and things of that nature.

24 There's some real basic stuff such as an
25 M9 tape, which you can put on -- almost like taking

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2 duct tape and turning it inside out, and you put it
3 around the sleeves of your turnout gear, you put a
4 strip on the fire truck -- there's a lot of things
5 that you can do with it -- and if that changes
6 colors, that's an indication. It's not
7 proof-positive because you can get false readings,
8 but it's an indication that there may be a nerve
9 agent and we should step carefully.

10 COUNCILMAN ORTIZ: Over 10 years ago, we
11 had the Mellon Bank fire, the high-rise here, and
12 some deficiencies came out of our ability to be able
13 fight a fire in a building of that size. We lost, I
14 think, four of our great firefighters there.

15 COUNCILMAN KENNEY: Three.

16 COUNCILMAN ORTIZ: How many?

17 COUNCILMAN KENNEY: Three.

18 COUNCILMAN ORTIZ: I thought it was four.

19 DEPUTY CHIEF ROSSINI: Three.

20 COUNCILMAN ORTIZ: We saw the aspect,
21 obviously, of the Twin Towers, which nobody can
22 measure because the heat there was -- but if a
23 terrorist act happens in one of our high-rises,
24 heaven forbid, one of our tall ones, how are we
25 prepared to fight it? Are we much better prepared

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2 to fight it than we were 10 years ago with the
3 Mellon Bank? And we have taller buildings today.

4 COMMISSIONER HAIRSTON: First of all,
5 there was a lot that happened in that particular
6 fire.

7 COUNCILMAN ORTIZ: Right.

8 COMMISSIONER HAIRSTON: Whatever could go
9 wrong did go wrong, including a delay in
10 transferring the alarm from the building to the Fire
11 Department, so that's the first thing.

12 There were a whole series of things that
13 went wrong with the situations in a building. When
14 a building gets to be 75 feet above the Fire
15 Department's vehicle access, it's considered a
16 high-rise building, which means that you have to
17 depend on the systems within the building.

18 The emergency lighting did not work
19 because the generator that was supposed to supply
20 those lights did not kick over. The stand pipes
21 were restricted because they had restricting devices
22 on each of the stand pipe outlets. They were
23 improperly set from the time that they were
24 installed. And so there were a whole series of
25 things that happened in that particular building

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2 that are not likely to happen in other buildings.

3 From that, we changed the code, the Bill
4 1466, which gave people roughly eight years to come
5 into compliance with the changes in the high-rise
6 code, which calls for all buildings above the Fire
7 Department's vehicle access to be sprinklered, with
8 the exception of residential occupancies.

9 So that time has passed. Those buildings
10 should, in fact, be sprinklered and they should have
11 the proper firefighting equipment inside. And there
12 are procedures that we go through as well as
13 Licenses and Inspections -- when I say "we," I mean
14 the City -- go through to ensure that those
15 buildings are safer.

16 You have to depend on the building itself.
17 Every building that is of that height has to get an
18 approval for their evacuation plans from the Fire
19 Department. So the persons that occupy those
20 buildings should know what that plan is. That,
21 coupled with the changes that we made, because we
22 did make some changes in our procedure, are
23 primarily to put more people on the scene in the
24 event that there was an alarm that could be
25 confirmed. And it made our life easier, I will say,

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2 in terms of how we fight fires in high-rise
3 buildings. Because of that, we've had great
4 experience in doing that.

5 Now, whenever there's a major event,
6 whether in this city or in another city, other
7 cities come to us if we had the major event, we go
8 to them if they had the major event, we talk to
9 them, we talk about the lessons learned, we send
10 people to make sure that we get the best of what can
11 be learned from that, and then we alter our
12 procedures in order to reflect those changes.

13 So could somebody put a bomb in a building
14 and blow it up and totally disable the system?
15 Yeah, but that's a security measure.

16 If a fire happens in the building, this
17 force is as well trained as anybody anyplace in this
18 country to go in and extinguish that fire. But we
19 do, in fact, depend on the systems to operate
20 correctly.

21 COUNCILMAN KENNEY: Just one comment. I
22 think part of the purpose of this hearing -- and I
23 don't want to mislead anyone. This is not an issue
24 of discussion of the training of our firefighters; I
25 don't find any problem with our training. This is

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2 an issue as to whether or not we, in fact, have
3 enough equipment and apparatus and other type of
4 protective gear to ensure the safety of them and the
5 safety of the public. I mean, I would be the first
6 to argue with anyone that this city is any less or
7 less better trained than other city in the country.
8 And I don't think that our -- obviously, our
9 firefighters are no less brave than any other city
10 in the country, probably more so.

11 But the issue for this particular hearing
12 is whether or not there's enough equipment, whether
13 the equipment we have is of sufficient age to be as
14 safe and effective as possible. And I'll reiterate
15 my concern, which is that when we talk about running
16 big cities with issues of health needs and safety
17 needs and recreation needs and education needs, we
18 want to make sure that the issues of safety for our
19 firefighters do not get caught up in all the other
20 decisions that are necessary to be made in the
21 fiscal constraints surrounding the running of any
22 municipal government.

23 I have contended from day one that
24 firefighters and police officers are basically our
25 soldiers in the field, and we don't scrimp as a

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2 federal government on the equipment that's necessary
3 to keep them safe and effective, and we just want to
4 determine, as far as my purpose of this committee's
5 hearing, is to determine whether or not we in fact
6 are there on equipment and safety gear, where we
7 could be if we needed to be better, and how much
8 that's going to cost outside the scope of what we
9 need to be concerned about with running all of the
10 other departments of the City.

11 So it's not an issue of training, it's not
12 an issue of any of that or bravery or any of that.
13 What it is, is: Do we have enough equipment? is it
14 too old or is it fine? and what's the result of that
15 investigation? And that's the purpose that I had in
16 mind.

17 COUNCILMAN ORTIZ: That's the purpose.

18 COUNCILMAN KENNEY: Frank?

19 COMMISSIONER HAIRSTON: Let me just make a
20 comment about that.

21 First of all, I thank you for your
22 concern. Secondly, if someone asked me a question,
23 I have a need to give them what I would consider a
24 complete answer. So if a person asked me about how
25 we would fight a high-rise building fire, I felt it

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2 necessary, just to make me feel better, that I have
3 given him a complete answer.

4 COUNCILMAN KENNEY: I didn't think your
5 answer was inappropriate; I just wanted to make sure
6 that we were focussing on what the purpose of this
7 hearing is, and that is the issue of equipment and
8 the --

9 COUNCILMAN ORTIZ: And that we do have the
10 equipment to fight that fire.

11 COMMISSIONER HAIRSTON: Absolutely.

12 COUNCILMAN KENNEY: Frank?

13 COUNCILMAN RIZZO: Commissioner, we
14 touched on this earlier when you explained that the
15 difference between the frontline equipment and the
16 fact that that's our newer equipment and our reserve
17 equipment. I just want to be real direct on this
18 question. If a reserve piece of equipment is
19 replacing a frontline piece that might be in for
20 maintenance -- and by the way, I have friends that
21 are firefighters from other cities, from some of our
22 volunteer companies.

23 The meticulous maintenance that Fleet
24 Management provides our equipment in the life
25 extension program is commended. And obviously it's

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2 not recognized by my eye, but it's recognized by
3 people that are firefighters. And one person made
4 the point that they saw that we had some older
5 equipment and couldn't believe, by looking at it and
6 looking at the systems that we're on -- they were at
7 the scene of a fire and just happened to be
8 observing some of the equipment. So I think Fleet
9 Management does a great job for the Fire Department
10 in maintaining and keeping this equipment.

11 My question is, when we have that reserve
12 piece of equipment replacing a frontline equipment,
13 are the citizens of Philadelphia any less protected?

14 COMMISSIONER HAIRSTON: I don't think so.

15 COUNCILMAN RIZZO: A piece of the reserve
16 equipment is --

17 COMMISSIONER HAIRSTON: I don't think so.
18 I don't think they're less protected.

19 COUNCILMAN RIZZO: You don't think so?

20 COMMISSIONER HAIRSTON: No, because of the
21 way we operate and because of the condition of that
22 equipment. I can't think of one fire that I've ever
23 responded to or heard about that occurred on my
24 watch that indicated that -- whether it was a
25 reserve piece of equipment or not, unless it was a

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2 total breakdown of the equipment, and that's
3 possible, whether or not something is 2001 or
4 whether or not it's 20 years old -- that would have
5 had a negative outcome based on the age of that
6 particular equipment.

7 COUNCILMAN RIZZO: I think you explained
8 something earlier very important. In many
9 communities, especially in our suburban communities,
10 many times they're dependent on maybe one or two
11 apparatus to respond to a house fire or a building
12 fire. In Philadelphia, we're fortunate, like you
13 described, to have multiple pieces of equipment on
14 the scene.

15 COMMISSIONER HAIRSTON: Yes.

16 COUNCILMAN RIZZO: Maybe this 2002 piece
17 of apparatus has the ability to deliver a certain
18 amount of water, but if we have two or three working
19 together, we make up for that little bit of a lag
20 that that one piece of equipment -- am I on the
21 right track here that --

22 COMMISSIONER HAIRSTON: Well, the fact of
23 the matter is that we're just very, very fortunate
24 in Philadelphia. I mean, that's the fact of it.
25 We've got a good fleet, the fleet works, a lot of it

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2 is new, or relatively new. We've got over 25,000
3 fire hydrants, which is rare, if you were to go to
4 the suburbs or in other communities.

5 You have a system where you have more than
6 one vehicle responding. We have a lot of redundancy
7 in our system. And because of that and because of
8 the training and all of the other things and the
9 equipment that we have, we're very fortunate.

10 And so we don't have a lot of the problems
11 that other people might have.

12 COUNCILMAN RIZZO: Do you ever think,
13 Commissioner, we'll be to the point where some of
14 this reserve equipment may, based on attrition, may
15 become a newer reserve fleet than we presently have?

16 COMMISSIONER HAIRSTON: There's just no
17 question about that. I mean, you just don't keep
18 old equipment for the sake of keeping it; you cycle
19 it out at some point.

20 You got to remember that we went through
21 over the last decade or so -- or I'll say in the
22 decade before this, when the City was getting poorer
23 and poorer and there wasn't a whole lot of money
24 that was coming into the Fire Department. But over
25 the last seven years, there were \$25 million spent

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2 on this type of equipment. I don't mean
3 self-contained breathing apparatus and personal
4 safety equipment and that kind of thing; we've spent
5 literally millions on that kind of stuff too. But a
6 lot of money was spent.

7 Now, we have equipment that has gotten
8 older. Every year, the equipment gets older. As
9 equipment gets older, its useful life diminishes;
10 there's no question about that. But as that happens
11 and if we continue to purchase at the same rate that
12 we have purchased in the past, we will continue to
13 have a fleet that you can be proud of.

14 COUNCILMAN RIZZO: Well, I'm proud of it
15 right now.

16 COMMISSIONER HAIRSTON: Okay.

17 COUNCILMAN RIZZO: But my last question
18 is, and I don't want it to sound like a Hollywood
19 question, but based on some of the things that we've
20 seen occur lately, high-rise fires, have you and the
21 Philadelphia Police Department's Aviation Unit, is
22 it Hollywood to suggest -- and I don't think I -- I
23 think I've seen rescues done by helicopter. If we
24 had firefighters trapped on the roof of a building,
25 are we prepared to rescue with our police aviation

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2 helicopters our firefighters or even citizens that
3 might be --

4 COMMISSIONER HAIRSTON: Well, let's pray
5 that we don't have anything like that. I mean, what
6 we recommend is --

7 COUNCILMAN RIZZO: But in your business,
8 you have to be on prayer.

9 COMMISSIONER HAIRSTON: Well, let me say
10 this. I explained this -- I don't know anybody was
11 paying much attention to it or not, but I'm going to
12 try this again in a different way.

13 What we do in the Fire Department is try
14 to train our citizens just as we train ourselves,
15 and one of the ways that we do that is that every
16 high-rise building gets an evacuation plan. It
17 tells the people who occupy that building what
18 they're supposed to do -- whether it's a three-floor
19 hold, whether or not you do you what we call "dump
20 the building" or whether or not you shelter in
21 place, just for a lack of a better term. We tell
22 the people what to do in the event of a fire. We
23 can take over the alarm system where we can tell
24 people what we want them to do.

25 We don't want people going up on the roof.

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2 If you have to go up on the roof, I hope it's a
3 firefighter that goes up there only to open the
4 hatch and then get out. Because we train people to
5 go down and out; that's how you get out. And all of
6 that Hollywood stuff ought to be left in Hollywood,
7 as far as I'm concerned. I mean, it's not a good
8 idea and not a good idea to go into the roof; it
9 changes the air currents, it changes all kinds of
10 other things, and plus you can't see.

11 COUNCILMAN RIZZO: Commissioner, I
12 understand what we're supposed to do, but if I'm
13 saving my life and the only way to save my life is
14 to go up, I'm going to go up, I'm going to do the
15 natural thing.

16 COMMISSIONER HAIRSTON: I don't think
17 that's the natural thing because smoke and fire go
18 up and --

19 COUNCILMAN RIZZO: Well, I've seen a lot
20 of pictures on television -- I think in Las Vegas --
21 of people being saved by police helicopters, so
22 that's not Hollywood.

23 I'm asking you a simple question. If a
24 firefighter is stuck on the roof of a building, do
25 we have the ability to rescue him with two very

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2 expensive police helicopters that we have right now?

3 COMMISSIONER HAIRSTON: I think it's the
4 most dangerous thing that you could do.

5 COUNCILMAN RIZZO: Commissioner --

6 COMMISSIONER HAIRSTON: It's the most
7 dangerous thing you can do. I don't know what the
8 police would do in a case like that. I don't
9 believe that that's a good idea. I don't think it's
10 a good idea going up -- I think it's too smokey, I
11 think it's too dangerous. If you talk to anybody
12 that does that kind of work, I think they'd tell you
13 the same thing: It's not a good idea.

14 COUNCILMAN RIZZO: Well --

15 COMMISSIONER HAIRSTON: You're supposed to
16 go down and out 'cause the smoke rises and it's too
17 dangerous when a helicopter pilot can't see and
18 could probably crash into the roof himself.

19 COUNCILMAN RIZZO: Commissioner, I want to
20 be real-life now. Again, I don't want to beat this
21 to death. I'm just telling you that I have seen
22 news accounts regularly on television where the news
23 media, untrained, have made rescues by helicopter in
24 a river, but I'm talking more so people that don't
25 know the rules, where there's a fire below them and

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2 they're frightened and go to the roof of a Center
3 City Philadelphia building. All I'm asking you --
4 if it's a bad idea, then I respect your opinion
5 here, but if it's just an opinion, and there hasn't
6 been any coordination between the Philadelphia
7 Police Department and the Fire Department to rescue
8 a person that may die on the top of a building or
9 jump like they did in New York, and they said it was
10 just a sickening sight to see people jumping to
11 their death, and that was obviously a situation far
12 beyond what I'm trying to describe here.

13 I'm talking about a building that's on
14 fire, involved in a lot of fire, and they're up on
15 the roof. Maybe they can wait it out, I don't know.
16 But I don't think it would be a bad idea to talk to
17 the Police Department to see if it's practical --
18 maybe the pilots would agree with you and say it's
19 not safe to do, but I don't think it's a bad idea at
20 least to check it out.

21 COMMISSIONER HAIRSTON: I don't think I
22 can give you a satisfactory answer so what I'm going
23 to do is, I'm going to ask the ladies and gentlemen
24 over here if they want to try to express it perhaps
25 in different terms because I'm in total disagreement

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2 with you. I think it's too dangerous.

3 COUNCILMAN RIZZO: Okay, I want to end
4 this, but I can tell you this: There are some
5 people that are alive today that were caught on the
6 top of buildings in Las Vegas when one of the major
7 hotels burned that wouldn't, I don't think, agree
8 with you.

9 Thank you.

10 COUNCILMAN KENNEY: Councilmember Miller
11 had indicated she had a follow-up question, but just
12 one issue I wanted to raise relative to the police
13 air tack units. I am aware that they are equipped
14 with heat-sensored equipment, which would allow on
15 the face of the building from the outside to
16 determine areas of hot spots and cool spots that
17 would allow, through radio contact with officers and
18 firefighters inside a building or with people, to be
19 able to show them an area to get out that's less hot
20 in other areas of the building. So I know that
21 there are some firefighting-related and
22 safety-related issues on Air Tack 1 and Air Tack 2
23 that would allow for that.

24 That doesn't answer your question, but
25 there are some opportunities for coordination

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2 between police and fire on the scene.

3 COMMISSIONER HAIRSTON: You're absolutely
4 right about that, there are some opportunities for
5 that. I just didn't consider the one that was being
6 presented to me one of those opportunities, but you
7 certainly remember the pier incident.

8 COUNCILMAN KENNEY: Yes.

9 COMMISSIONER HAIRSTON: And if you
10 remember the pictures from that, the police were
11 certainly poised up there and supplied good lighting
12 to us, and they've done it on I don't know how many
13 cases but an awful lot of cases, and so they've been
14 a big help certainly on fire grounds in helping us
15 coordinate, but primarily in lighting things up and
16 that kind of thing, they've been a big help. And I
17 would suggest that they will continue to be a big
18 help.

19 COUNCILMAN KENNEY: Councilmember Miller.

20 COUNCILWOMAN MILLER: Yes, good afternoon,
21 Commissioner.

22 This is a follow-up question to Councilman
23 Rizzo and just a question based on your response of
24 evacuation plans for high-rises. I've worked here
25 in City Hall now for six years just about, and I

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2 don't think anyone has ever told me about an
3 evacuation plan for City Hall. Does one exist, do
4 you know?

5 COMMISSIONER HAIRSTON: Sure, one does
6 exist. And they have a person by the name of Terry
7 Sweeney that works for the City who is responsible
8 for this building, for the building at Municipal
9 Services Building and other buildings and so forth,
10 and he certainly has copies of those plans, and
11 there are copies of those plans right in this
12 building.

13 COUNCILWOMAN MILLER: Well, you said this
14 person's name is Terry --

15 COMMISSIONER HAIRSTON: Terry Sweeney. He
16 works for Public Property. Sweeney works for Public
17 Property.

18 COUNCILWOMAN MILLER: Okay. It's my
19 understanding there was a training -- and I may have
20 missed it -- for people here in City Council. I
21 just wasn't -- I probably wasn't here. I have a
22 daughter that's been in the hospital, so I may have
23 been out during that time.

24 COMMISSIONER HAIRSTON: Well, see, the
25 same thing that happened to you is the same thing

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2 that happens to us all the time when we go to a
3 building because you can never ensure that the same
4 people are going to be working in a particular
5 building that you go to. And hopefully, everybody
6 has gotten the word.

7 But we continue to work with building
8 owners and building managers to the degree that we
9 can to make sure that we give them proper
10 information so that they will be able to pass it
11 onto employees, and some people do a wonderful job
12 of that and other ones don't do such a wonderful
13 job.

14 The bit problem comes in, very frankly,
15 when you get new employees that come in, and they
16 generally don't want to go through some big training
17 session for one or two persons, and so over the
18 period of time, there can be several people who
19 never got the word.

20 But we try to lay it out in such a way
21 that we have floor captains, we have people that
22 utilize the building regularly who can expect to be
23 there. So that in the event of any emergency, that
24 they would help point some of these things out. And
25 very frankly, it works very well, as a general rule.

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2 COUNCILWOMAN MILLER: Okay. Well, I'll
3 try to find out who the third floor captain is.
4 Would you happen to know, Jim?

5 COUNCILMAN KENNEY: I'm on the third floor
6 and it's not me.

7 COMMISSIONER HAIRSTON: Well, you might
8 want to talk to Terry because it's really the
9 building manager's responsibility to do those
10 things. And what the Fire Department does is, we
11 okay the plans after they have really been drawn up
12 by other people. We don't go in and tell you how to
13 do this. We either okay your plans and make
14 suggestions to it, and we won't sign off on them
15 unless we think it's a reasonable plan.

16 COUNCILWOMAN MILLER: Okay. Well, I think
17 that maybe your department shouldn't sign off on a
18 City Hall plan until you're sure that a good
19 percentage of people did receive the training.

20 COMMISSIONER HAIRSTON: Well, we've
21 already signed off on it years ago. That plan's
22 been in place for a very long time, I can tell you
23 that, and I know that for a fact.

24 COUNCILWOMAN MILLER: Well, then maybe you
25 need to revisit the plan or double-check it.

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2 COMMISSIONER HAIRSTON: What I'm
3 suggesting to you is that responsibility is for the
4 building manager. His name is Terry Sweeney, and he
5 works for the Department of Public Property, and
6 that's really his responsibility to make sure that
7 you get a copy of that plan, should you desire, and
8 to make sure that he takes you through whatever is
9 necessary in order for you to feel safe. That's
10 really what his job is, and that's what the building
11 managers in any of these high-rise buildings, that's
12 their job. That's what they're supposed to do.
13 And what we do is to try ensure that the
14 instructions that they give you are in the best
15 interests of you and in the best interests of the
16 Fire Department, 'cause you got to remember, in the
17 event of a real emergency, we have to come in, we
18 would then be responsible for the evacuation.
19 Hopefully, you've done it in accordance with the
20 plan that we've signed off on, and then we can
21 proceed to go in and fight the fire with minimum
22 strain on you and minimal strain on your department
23 in terms of having to go around and continue to look
24 for people, although we do continue to look for
25 people to make sure that they get evacuated

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2 properly.

3 That's the way the system is set up and
4 that's the way it works.

5 COUNCILWOMAN MILLER: Well, thank you for
6 the information. I didn't have the information.
7 I've been here six years and never heard of an
8 evacuation plan. And I know a couple years ago when
9 we kept having those fires and people were setting
10 fires, no one really concentrated on an evacuation
11 plan. During one of those sessions, I had about 100
12 older adults here for a Council resolution
13 presentation who -- many of them were disabled, and
14 we had to figure out a way and find people to help
15 us get those individuals from this 4th floor on
16 Council day, which is a whole different set of
17 circumstances than during the regular business day.
18 We had to figure out how to get some of those people
19 from the 4th floor to the 1st floor.

20 So I think it's important that we do have
21 adequate information, and you can't assume that we
22 get it, 'cause we do not get it.

23 COMMISSIONER HAIRSTON: I'll make a
24 recommendation to you or I'll make an offer to you.
25 John McGrath, who is one of my deputies over here,

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2 is also in charge of the Fire Prevention Division,
3 and you can talk to John or you can talk to the
4 person that's in charge of our Fire Prevention
5 Division. I'm sure that he will be happy to set up
6 appropriate training so that you feel comforted.

7 'Cause I want you to feel comforted, I
8 want everybody that occupies this building to feel
9 comforted. Because, very frankly, if you're not,
10 we're not doing everything that we ought to do. So
11 we could make a special case of training anybody
12 that needs to be trained here. I think our people
13 ave very good at that, and I think that you
14 shouldn't go through that kind of worry.

15 But I will say this, though: In any
16 particular case where the Fire Department responds,
17 all of our people are trained to the degree that
18 they should be able to make a decision as to what
19 equipment is needed and what personnel are needed.
20 And in my history with the Fire Department, which is
21 37 years, I've never seen anybody complain that
22 somebody called for too much equipment or too much
23 personnel.

24 And so we'll do whatever we have to do to
25 make sure that people are safe.

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2 COUNCILWOMAN MILLER: Okay, thank you.

3 COUNCILMAN KENNEY: Councilmember Reynolds
4 Brown has a couple questions, and after her, what
5 we'd like to do is allow Local 22 representatives of
6 the firefighters themselves to come and give
7 testimony, and I have some other questions on some
8 personal safety equipment.

9 And, Commissioner, if it's a time issue,
10 you can assign somebody to stay for you; if you want
11 to stay yourself, it would be great. But if you,
12 you know, want to leave people to respond to
13 questions, then that would be fine too. That's your
14 decision at the time, considering how long we go
15 into this.

16 So the Chair recognizes Councilwoman
17 Reynolds Brown.

18 COUNCILWOMAN REYNOLDS BROWN: Good
19 afternoon, gentlemen.

20 If we could return to your actual
21 testimony, Page 3, you indicated on the bottom of
22 Page 2 that you've actually been in conversations
23 with the leadership at Local 22 to discuss very
24 specific issues. How long ago was the meeting,
25 first of all; do you recall?

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2 COMMISSIONER HAIRSTON: We had this
3 meeting, I don't know, two weeks ago.

4 COUNCILWOMAN REYNOLDS BROWN: Okay.

5 COMMISSIONER HAIRSTON: I'd say about two
6 weeks ago.

7 COUNCILWOMAN REYNOLDS BROWN: Well, then
8 there may not have been adequate time to address,
9 respond to, plan for the issues they raised on Page
10 3. Can you just speak to it, if you will, where you
11 are in terms of addressing their specific issues?
12 And that's even if you've had an opportunity, given
13 the short --

14 COMMISSIONER HAIRSTON: Well, I said at
15 the time of our meeting what I was asking of them
16 was an opportunity for me to present their request
17 to my bosses and for us to have an opportunity to go
18 through a process by which we would examine this and
19 examine the best way for to us deal with it. And
20 we're in the process of doing that as we speak

21 COUNCILWOMAN BROWN: Most recently, the --
22 there was an instructive from the Mayor's Office for
23 each City department to refine City budgets at the
24 end of this cycle. How has that impacted your
25 department, will that impact your department? And

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2 if yes, in what way?

3 COUNCILMAN KENNEY: And can I just add an
4 addendum to that question? 'cause there was a lot of
5 questions I had later on. That the Administration's
6 request was to cut each department a certain
7 percentage, and I'm wondering if you could be more
8 specific in your answer as to what areas of service
9 or personnel or other areas that may be considered
10 as a potential cut in the event that that Mayor's
11 request needs to be followed on for real.

12 COMMISSIONER HAIRSTON: We were asked to
13 respond as other City departments were asked to
14 respond. And the way I took that question was, how
15 would you deal with a given number in terms of -- if
16 you had, in our case, \$10.4 million. And we sent
17 that information in, saying if we were forced to do
18 that, that's what would happen.

19 But as you may remember, that was before
20 September the 11th.

21 COUNCILWOMAN REYNOLDS BROWN: Hmm.

22 COMMISSIONER HAIRSTON: And since
23 September the 11th, we have not had any further
24 discussions about any other kinds of cuts or
25 anything like that. That's not to say that it won't

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2 happen, but we haven't had any other discussions
3 about it.

4 What we have discussed internally is ways
5 that we could build in some kind of redundancy so
6 that we would have more capabilities than we
7 presently have.

8 COUNCILMAN KENNEY: Were there specific
9 cuts or cutbacks that were recommended or envisioned
10 by the Department in their response to the
11 Administration?

12 COMMISSIONER HAIRSTON: We gave very
13 specific instances as to what we would do and where
14 they would occur if we were the ones that were
15 guiding that cut.

16 COUNCILMAN KENNEY: Could we get some
17 examples?

18 COMMISSIONER HAIRSTON: I would prefer not
19 to get into the examples because, you know,
20 everything was up for grabs. If somebody forces you
21 and takes that kind of money off you, which you
22 don't want to have happen, and you're told to do
23 that, you simply respond based on what their
24 response is. Every one of those responses would
25 affect neighborhood fire protection in some way.

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2 So there's really no need for me to have
3 rocks thrown at me as I walk through some
4 neighborhood because I had said if I had to cut one
5 this is the one that I would cut. So I would prefer
6 not to answer that question based on that, unless
7 we're actually forced to do it.

8 If we are forced to do it, then we'll do
9 it with -- I guess we'll do it

10 COUNCILMAN KENNEY: What, if you're forced
11 to answer the question or forced to do it?

12 COMMISSIONER HAIRSTON: Well, I don't want
13 to be forced to answer the question, nor do I want
14 to be forced to be put companies on the block that
15 aren't on the block at this point.

16 COUNCILMAN KENNEY: I just want to make
17 sure that we understand what I think the
18 relationship is with this Council, the
19 Administration, and the departments that we all
20 serve. This, to me, is a \$3 million or so company
21 that is run by a chief executive officer, who's the
22 mayor, and there's a board of directors that are
23 elected by the shareholders, who are the citizens,
24 to also help in the operation of this company, which
25 the main purpose of the company is public service

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2 and citizen retention.

3 So I think that, you know, while I
4 recognize your reticence and the reasons why you
5 wouldn't want to answer the question. You can also
6 understand why the Chair and members of the Public
7 Safety Committee and the Chair and members of the
8 Legislative Oversight Committee who are members of
9 the board of directors of this company would be
10 interested in knowing, not only from the Fire
11 Department, but from the Police Department, the
12 Library, the Recreation Department, you know, and
13 I'm sure all of these questions will come up during
14 our budget process.

15 But the public's business -- and I'm not
16 lecturing you, but the public's business should be
17 public. And with so many issues facing this city,
18 for some reason or another, there seems to be this
19 reticence to share information with both the elected
20 officials who represent the public and the public
21 themselves.

22 So I'm sure you can understand why I won't
23 insist that you answer this question today, but I'm
24 sure you can understand why members of this Council
25 get a little bit concerned and a little bit worried

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2 when the people who are charged with helping to run
3 this company, the City, are kept -- information is
4 kept from them on a regular basis.

5 So that's an editorial comment and I don't
6 need you to respond, but I am sure that perhaps you
7 and other departments should be prepared this budget
8 cycle to be a little more in depth in your answers.

9 COMMISSIONER HAIRSTON: I'll be prepared.

10 COUNCILMAN KENNEY: Thank you.

11 COMMISSIONER HAIRSTON: But I would say
12 this about that: We went through a process and,
13 very frankly, we changed it so much and went through
14 it so much until I would be reluctant if somebody
15 told me I was going to get a \$10,000 raise for
16 giving you this answer to give you something and
17 then be wrong about it.

18 COUNCILMAN KENNEY: I understand.

19 COMMISSIONER HAIRSTON: I mean, I would
20 rather not rely on my memory and have the
21 information that would be absolutely what our final
22 draft was.

23 COUNCILMAN KENNEY: That's fair, I
24 appreciate that.

25 COUNCILWOMAN REYNOLDS BROWN: The only

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2 editorial comment, personal commentary I would like
3 to add is -- and I say this in no way to pander to
4 you; I say it with strict sincerity to the
5 leadership and your team of professionals, that
6 September 11th, I join the many Philadelphians and
7 Americans across the country where September 11th
8 just heightened my, at that time, surface, but now
9 deeper awareness of the awesome responsibility that
10 you have to the citizens. And I simply commend the
11 work that do you here and others across the country
12 who have an awesome responsibility.

13 COMMISSIONER HAIRSTON: Well, I've been
14 very fortunate. I have what I consider the finest
15 group of men and women in any department anyplace in
16 this nation.

17 COUNCILWOMAN REYNOLDS BROWN: All right.

18 COUNCILMAN KENNEY: Thank you very much
19 I would like to take the opportunity now
20 to ask the representatives of Local 22 to please
21 take the witness table and proceed with their
22 testimony.

23 Mr. Hairston, either you or any of your
24 staff who want to stay will be helpful in the event
25 that we have some specific rebuttal or response that

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2 we need to make relative to any other testimony that
3 we're having from now on forward.

4 (Witnesses come forward.)

5 COUNCILMAN KENNEY: Please identify
6 yourself for the record.

7 MR. O'DRAIN: Good afternoon. My name is
8 Thomas O'Drain. I am the president of Local 22 and
9 I am also a 17-year veteran of the Philadelphia Fire
10 Department, and I'm also a lieutenant.

11 COUNCILMAN KENNEY: The other members can
12 identify themselves and then whoever is going to
13 proceed with their testimony can move forward.

14 MR. SGRILLO: My name is Charles Sgrillo,
15 and I'm the treasurer of Local 22, a 15-year
16 veteran, and I believe I'm the only non-officer in
17 the room. I'm a firefighter.

18 MR. CUBBAGE: I'm Andy Cubbage. I'm the
19 Vice President of Local 22, and I'm a 28-year
20 veteran of the Fire Department and I'm also a
21 lieutenant.

22 COUNCILMAN KENNEY: Whoever is going to
23 lead off, please proceed.

24 MR. O'DRAIN: First of all, I'd like to
25 apologize. I didn't have too much time to prepare

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2 for these hearings so I didn't offer any written
3 testimony, but we have a number of issues that we
4 feel we need to bring out into the public light.

5 First of all, I don't know whether people
6 in this room are aware or not, but the Mayor refuses
7 to honor our contract. We still have pieces of our
8 contract that were won in impartial arbitration that
9 the Mayor just refuses to honor. And for me, that's
10 a big moral issue with my members. They feel as
11 though they have nowhere to go.

12 That is our -- Act 111 binding arbitration
13 is the process that we have to negotiate fairly with
14 our bosses. We are prohibited from going on strike,
15 and it's really lowered the moral of the members of
16 the Philadelphia Fire Department. And I don't know
17 if you, Council, can do anything to make the Mayor
18 enforce it; I wish you would if you can.

19 COUNCILMAN KENNEY: So noted, as we have
20 been trying additionally. I think I would add that
21 the frustration, in addition to the moral issue and
22 the unfairness of the ignorance of Act 111, is that
23 taxpayers' money is being used by the Law Department
24 to hire outside counsel to fight this thing in the
25 courts, which I think is even doubly insulting, but

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2 we've had that discussion in the past and I'm sure
3 we'll have it in the future, but anything you can
4 add to or offer to us as insight as to your opinion
5 and the opinion of your membership relative to the
6 issues of equipment and protective safety issues
7 would be a big help for us today.

8 MR. O'DRAIN: First of all, I'd like to
9 commend Commissioner Hairston and his staff. Since
10 September 11th, there has been an open dialogue
11 between Local 22 and the Commissioner. And a number
12 of the issues that he spoke about today we did talk
13 about -- that meeting was last week. But there are
14 a number of other issues that we feel that we didn't
15 discuss with the Commissioner but I feel would add
16 to the safety of the citizens of Philadelphia and
17 the firefighters of Philadelphia. We sat down this
18 morning and just made up a quick list.

19 In the area of staffing, Center City
20 engine companies should be manned by a lieutenant
21 and four firefighters. Currently they are manned by
22 a lieutenant and three. In the high-hazard
23 high-rise district, you need to have that extra
24 manpower to be able to -- you know, when you have a
25 high-rise fire, we have to go up the steps and we're

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2 carrying all of this equipment with us and we need
3 that extra guy to be able to carry the equipment.
4 The NFPA standards recommend that.

5 COUNCILMAN KENNEY: How many --

6 MR. O'DRAIN: In a perfect world, I'm sure
7 if the Commissioner had the money to do it, he would
8 do it.

9 COUNCILMAN KENNEY: Well, it's not a
10 perfect world, but that doesn't mean that we
11 shouldn't be making our priorities what they should
12 be when we decide how to spend the money that the
13 taxpayers give to us and entrust to us to spend.

14 How many people would that involve in the
15 area? And when you define Center City, are you
16 talking about Spring Garden to South, river to
17 river, or do we go --

18 MR. O'DRAIN: I would say that, yeah.

19 COUNCILMAN KENNEY: Okay. And could you
20 give me an idea on how many people we're talking
21 about adding on?

22 MR. O'DRAIN: You're talking probably, I
23 would say, around maybe five companies, five engine
24 companies that you would have to add that extra man
25 to.

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2 COUNCILMAN KENNEY: And how many platoons
3 are there?

4 MR. O'DRAIN: There are four platoons.

5 COUNCILMAN KENNEY: So 20 additional
6 people?

7 MR. O'DRAIN: One man for each platoon,
8 year.

9 COUNCILMAN KENNEY: Okay.

10 MR. O'DRAIN: There are other pieces of
11 equipment that we could get that I feel would be
12 good for us and the citizens of Philadelphia.
13 There's a piece of equipment out there called "The
14 Iris." It's a helmet-mounted -- it's military
15 technology, and what it does is, it allows
16 firefighters to see through smoke. If I had more
17 time, like I said, I would have brought a
18 demonstration for you so that you would be able to
19 see it in action.

20 COUNCILMAN KENNEY: Well, you can provide
21 any written information that you may have to the
22 chairs of these two committees, and we would be
23 happy to look at that.

24 MR. O'DRAIN: And an example of what --
25 like what happened up in New York City, when you

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2 have people buried through rubble, the Iris would
3 allow firefighters to be able to see, you know, the
4 heat of people's bodies, and they would be able to
5 locate them immediately.

6 A few years back, we had a building
7 collapse where we had two firefighters trapped. One
8 guy was severely burned and the other guy was
9 brain-damaged, but if they were able to get in
10 there, you know, with the Iris, one firefighter
11 wearing that, they would be able to see where those
12 guys were immediately, and wouldn't have to dig all
13 around looking for them.

14 COUNCILMAN ORTIZ: What's the cost of
15 that?

16 MR. O'DRAIN: The cost of it? \$25,000
17 apiece, and that was probably five or six years ago
18 when I was looking at it, but I still have the
19 videotapes and such, and I would be able to provide
20 that information for you.

21 COUNCILMAN KENNEY: What I need you to
22 talk a little bit about is the issue of apparatus.

23 MR. O'DRAIN: In that area, I disagree
24 with the Commissioner to some extent.

25 COUNCILMAN KENNEY: We need to talk a

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2 little bit about the reliability of the apparatus,
3 the age, replacement parts, delays in replacement,
4 anything that you think would deal with the issue of
5 engine and ladder company equipment, and what the
6 goal of this is, is to try to determine our standing
7 and situation relative to our equipment. And then
8 during the next budget process, which we are going
9 to begin after January, to be able to have the
10 information necessary to make recommendations, that
11 we purchase what we need to get ourselves up to
12 speed; and if we're up to speed already, we need to
13 know that.

14 But I need a little bit of information and
15 some dialogue from you guys about what your concerns
16 are as a result of the people -- as the people who
17 use it every day, you know, what experiences we're
18 having there with the condition and age and
19 reliability of our equipment.

20 MR. O'DRAIN: Well, as I believe Jack
21 Maguire said earlier, the life span of an apparatus
22 is about 10 years for it to be frontline. And some
23 of those apparatus, I'm hearing from the field
24 firefighters that some of them are just rust buckets
25 now. You have 12 1984 C-grave pumpers

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2 COUNCILMAN KENNEY: 13.

3 MR. O'DRAIN: Oh, Jack says 13? And you
4 have 9 Emergency 1 pumpers and an American La France
5 that we refer to in the field as "American La Junk."

6 COUNCILMAN ORTIZ: Excuse me, I didn't
7 hear that.

8 MR. O'DRAIN: We refer to them in the
9 field as "American La Junk."

10 COUNCILMAN KENNEY: Well, can you give us
11 an idea of what the problems are with that
12 particular piece of apparatus?

13 MR. O'DRAIN: Well, when they installed
14 the pump, they put it in upside down. So if you
15 lose prime on the pump, it's very difficult to get
16 water back into it and you have -- there's like
17 little tricks you have to know to be able to do
18 that. That piece should have been long gone.

19 These 1984 C-graves, I think Charlie could
20 probably talk about it better than me.

21 COUNCILMAN KENNEY: Please identify
22 yourself for the record.

23 MR. SGRILLO: Charles Sgrillo, Treasurer
24 of Local 22.

25 I, too, agree with Tommy on the point that

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2 as far as the apparatus, I know from our end that
3 somebody's still driving them. I broke in on '84
4 C-graves, that was my first piece that I broke in
5 on. And now we have a KME, which we lost last year
6 in an accident.

7 But the difference between driving the two
8 apparatus is, you know, a world apart. I mean, the
9 braking, the pumping, and the handling of that
10 apparatus is so much more modern today than it is,
11 and I just had an incident where just three days
12 ago, we had -- our piece went down for a couple
13 hours, and we have a 100 series at our station,
14 which we had to run for a couple hours, and that's
15 an '84 C-graves.

16 The enclosed cab portion is a safety
17 issue, but just the handling of the truck, it's just
18 totally different. Anything the '84s and the E1s,
19 they just don't handle, and on the turning rate,
20 they don't -- firemen don't like them. If you're
21 asking the guys actually driving them, you know,
22 they're not -- you know, they were what were bought,
23 that's what we use and, you know, they put the fires
24 out, but we could use probably, I would say, about
25 20 new pumpers, but I don't believe that's the guys

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2 behind us call, that's a budgetary thing. If we
3 could get 25 new trucks, they'd take 'em tomorrow.

4 COUNCILMAN KENNEY: In my opinion, I don't
5 think there's any doubt that the people who
6 testified earlier would want all of the appropriate
7 equipment that's available.

8 And while I understand the constraints as
9 part of management that they are, they're unable
10 sometimes to say exactly in this public forum what
11 it is they would require or need, and that's why I
12 think the purpose of this committee is to try and
13 weed through that a little bit. While I don't
14 dismiss what they're saying, I agree that they're
15 being truthful in their comments, that they believe
16 that based on what we have, we're doing the best we
17 can.

18 But the question is, can we do better, do
19 we deserve to do better, and this should be one of
20 the City's main priorities in doing better as
21 opposed to some of the other things we spend money
22 on on a regular basis. So it's a matter of
23 prioritization and it's also a matter of gathering
24 information that we need in effect to create these
25 priorities, which will make you safer, us safer, and

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2 the people we represent much safer.

3 But as far as this -- what I'd like to get
4 from you guys are some specifics in addition to what
5 has already been said, not only about the actual
6 ladders and engines, but other personal safety
7 equipment and other types of things that have been
8 problematic in the past.

9 MR. O'DRAIN: Well, as the Commissioner
10 said earlier, we did have a meeting last week. One
11 of our big concerns was the bunker gear, that we
12 didn't have an extra set, and that's being addressed
13 now. And the reason we do need that extra set is
14 because when they get wet, you may end up in another
15 fire in the same night, and the gear itself has been
16 known to -- the water inside will turn into steam
17 and actually cook the firefighter inside of it. And
18 that's been a concern of ours for quite number of
19 years now.

20 COUNCILMAN KENNEY: Could you talk a
21 little bit about the issue of cleaning the bunker
22 gear and what the situation is today, what the
23 concerns are, and what the recommended changes would
24 be.

25 MR. O'DRAIN: Right now, I believe they

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2 are looking into a program to get the bunker gear
3 clean. The reason it needs to be clean is NFPA
4 recommends twice a year that has to be cleaned
5 because the gear becomes impregnated with
6 carcinogen, you know, stuff that will give you
7 cancer. And, you know, we've addressed that issue
8 in arbitration a number of times.

9 COUNCILMAN KENNEY: And is this one of the
10 issues that's not being lived up to as far as the
11 arbitration award is concerned?

12 MR. O'DRAIN: No, that was not a part of
13 the arbitration award. Like I said, we had the
14 meeting last week with the Commissioner, and that is
15 being addressed and looked into.

16 COUNCILMAN KENNEY: Okay. Could you tell
17 me what you do with the bunker gear now?

18 MR. O'DRAIN: Right now, the bunker gear,
19 you either have to take it and put it on the floor
20 and scrub it with a brush and soap and water, or you
21 take it to a dry cleaner, but the runoff that comes
22 off of that gear is a haz. mat.

23 COUNCILMAN KENNEY: Do you take this stuff
24 home?

25 MR. O'DRAIN: For a number of years we did

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2 -- before we knew that the stuff was that harmful.

3 COUNCILMAN KENNEY: 'Cause I recall
4 vividly the "wonderful" odor of my father's running
5 clothes at the bottom of the basement steps, which
6 you could smell from the second-floor bedroom.

7 MR. O'DRAIN: You know firsthand. We were
8 carrying this stuff around in our automobiles, guys
9 were taking it home and throwing it in the family
10 washing machine. That was before we knew how
11 harmful it was.

12 COUNCILMAN KENNEY: But you believe that
13 at least we're on the way to addressing some of
14 these issues?

15 MR. O'DRAIN: I believe we're headed in
16 the right direction in that area.

17 COUNCILMAN KENNEY: All right.

18 MR. CUBBAGE: Firefighters get detailed
19 from one station to another.

20 COUNCILMAN KENNEY: You have to use the
21 microphone.

22 MR. CUBBAGE: I didn't really think I
23 needed a mic. But firefighters need to --

24 COUNCILMAN KENNEY: I'm sorry. You need
25 to reidentify yourself for the stenographer.

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2 MR. CUBBAGE: I'm Andy Cubbage, Vice
3 President of the Local 22.

4 COUNCILMAN KENNEY: Please proceed.

5 MR. CUBBAGE: The bunker gear issue, we
6 get detailed from one station to another, and that's
7 a common occurrence of the Fire Department. It's
8 not a -- it's so common that as an officer, you keep
9 a list of all the stations that your members are
10 detailed to so that everybody gets detailed the same
11 amount of times over the course of a year. Every
12 time you get detailed, you take your bunker gear
13 with you. Now, if you're using a family car, your
14 bunker gear goes into the family car.

15 COUNCILMAN ORTIZ: Mr. Chairman, if I may
16 follow up.

17 If you guys -- if you may put together for
18 us in terms of -- because we're talking about
19 equipment, what is needed, what is presently there,
20 what shape it's in, is it state-of-the-art, and does
21 it need to be replaced.

22 I would like, as comparison to have for
23 the committee, a whole listing of equipment of all
24 of the things that we've mentioned so far and your
25 perception of the state of that system, the state of

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2 that machine, the state of the truck, whatever it is
3 that we have, and whether in your opinion and expert
4 consideration, it should be replaced and why it
5 should be replaced.

6 And if you could do that in writing for
7 us, I would really appreciate to have that so that
8 we can compare the state of our equipment in the
9 present situation. Can you do that?

10 MR. O'DRAIN: We can do that.

11 COUNCILMAN KENNEY: Councilmember Reynolds
12 Brown, then Councilmember Rizzo.

13 COUNCILWOMAN REYNOLDS BROWN: Good
14 afternoon, gentlemen.

15 Recognizing that nothing is a hundred
16 percent, I'm of the view that progress is always
17 incremental, if you had to look a year ago or two
18 years ago or maybe at the last time of your
19 contract, there were two or three top priorities.
20 What has been the outcome of those two or three top
21 priorities? Addressed, not addressed, improvement,
22 no improvement? So that we have a balanced picture
23 of what was and where we want to go for the future.

24 MR. O'DRAIN: Well, in the last
25 arbitration, we addressed the fact that the stations

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2 didn't have diesel emission equipment.

3 COUNCILWOMAN REYNOLDS BROWN: Mm-hmm.

4 MR. O'DRAIN: It's like mechanics that
5 work in garages, they have equipment that will suck
6 out the exhaust and put it to the outside. We never
7 had this in firehouses. We presented a package from
8 the arbitrator, and he ruled in our favor. And
9 currently, from what I understand from the
10 Commissioner, that that is being addressed. You
11 know, it's going to be a costly item, but they're
12 headed in the right direction, which I think is
13 good.

14 We have problems with wellness and fitness

15 COUNCILWOMAN REYNOLDS BROWN: With
16 wellness and fitness?

17 MR. O'DRAIN: With wellness/fitness. The
18 arbitrator ruled in our favor on that particular
19 issue. And what that addresses is the condition of
20 the firefighters that are out there doing the work.

21 COUNCILWOMAN REYNOLDS BROWN: Surely.

22 MR. O'DRAIN: And, you know, right now,
23 we're hiring guys that are 59 years old. You know,
24 this is a young man's job, and you shouldn't be
25 hiring firefighters that are that old. And we've

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2 been talking about that, and there's probably help
3 that you guys could give us in that respect. As far
4 as -- Congress, a few years ago, agreed with the
5 International Association of Firefighters that there
6 should be a hiring exemption for firefighters. In
7 other words, they have anti-discrimination where you
8 can hire people that are too old. They gave the
9 fire departments and police departments exemptions,
10 and the City of Philadelphia never enforced that.
11 Years ago, the hiring limit was 32 years old.

12 COUNCILWOMAN REYNOLDS BROWN: Is that
13 right?

14 MR. O'DRAIN: And now we're hiring -- you
15 know, a guy at 59 years old shouldn't be becoming a
16 firefighter.

17 COUNCILWOMAN REYNOLDS BROWN: Help me
18 understand why that's the case. And please forgive
19 my ignorance. It's the lack of what?

20 MR. O'DRAIN: Well, the City was afraid to
21 address the issue because they're afraid they'll get
22 sued.

23 COUNCILMAN KENNEY: Well, it's also a lack
24 of integrity that people who are moving from one
25 City department to another in order to take

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2 advantage of a more lucrative pension system that
3 they didn't earn. What happens is, you have people
4 who work in various departments in the City that are
5 non-public safety related and spend 20, 25 years in
6 that department or 23 years and decide they want to
7 become a police officer or a firefighter for a year
8 or two, or even worse, two months out of the
9 Academy, then retire with a firefighter or a police
10 officer's pension, which they did not earn, because
11 the benefits, even though they're not sufficient
12 enough, are higher than the normal non-public
13 service employee because they don't face the same
14 rigors and dangers as public safety employees.

15 So we have basically a scam that was going
16 on, with people jumping from -- just for sake of
17 example, the Water Department or from the Library
18 system to the Police or Fire Department, in an
19 effort to take advantage of a lucrative -- we
20 believe, I believe, closed that hole.

21 MR. SGRILLO: For the pension part, but
22 somebody could still take the test and pass the test
23 and become a firefighter at 59 years old, which
24 we've had.

25 COUNCILMAN KENNEY: But if they were

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2 current City employees, they'd have to maintain, I
3 thin, five years prior to being able to collect the
4 police officer or firefighter's pension.

5 MR. SGRILLO: Yes.

6 MR. CUBBAGE: I want to address this issue
7 for just a second.

8 COUNCILWOMAN REYNOLDS BROWN: Please.

9 MR. CUBBAGE: I've been a firefighter for
10 28 years, and when I came on the Fire Department in
11 1974, you weren't allowed to be over the age of 31,
12 you couldn't have reached your 31st birthday, okay?
13 Now, I also taught at the Fire Academy a couple of
14 times, and I was teaching people that were older
15 than I am.

16 And I know that physically, my body right
17 now is not the same shape I was in 28 years ago; I
18 cannot do the same thing as a firefighter now that I
19 did then, but I have 28 years of experience under my
20 belt, I have a lot more sense about what's going on
21 inside of a burning building than I did when I was a
22 rookie. When I was a rookie, I just trusted luck
23 and had the senior guys.

24 Well, now I'm a senior guy and I don't run
25 in as quickly as I did before, and I pay a lot more

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2 attention to the younger guys that are on the Fire
3 Department.

4 But you got a fellow that's -- if we hire
5 somebody that's already older than I am -- I'm 50,
6 and we're hiring people that are 56, 57, 58, 59, and
7 they're rookies. There's no time to teach them how
8 to become a professional firefighter before it's
9 time for them to retire.

10 It just doesn't make any sense

11 COUNCILWOMAN REYNOLDS BROWN: Then I'm
12 compelled to answer the question, on the front end
13 of that, does Local 22 have any programs in place
14 designed to intentionally deliberately recruit and
15 track and train young men and women out of high
16 school and just straight through --

17 MR. CUBBAGE: Well, not out of high school
18 because we're not -- what we have -- we have a
19 meeting with the City, I believe, on Friday to deal
20 with a wellness/fitness program, which Local 22 and
21 the IFF internationally is in favor of, about how
22 to -- when we hire people for the Fire Department,
23 we want them to be in physical shape and we want
24 them to stay in that kind of shape for their entire
25 career.

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2 COUNCILWOMAN REYNOLDS BROWN: What's the
3 minimum age?

4 MR. CUBBAGE: The minimum age that we
5 would like to see is no older than 35 years.

6 COUNCILWOMAN REYNOLDS BROWN: And on the
7 bottom end, the younger --

8 MR. CUBBAGE: The bottom end is 18 -- no,
9 19, I believe, I'm sorry. It's always been 19. It
10 was 19 to 30, and you couldn't have reached your
11 31st birthday. Now, we don't mind going to 35, but
12 you can't go to 45 and 50. I mean, our retirement
13 age, minimum retirement age, is 45. We're hiring
14 people that are above our minimum retirement age.

15 COUNCILWOMAN REYNOLDS BROWN: I see. Very
16 helpful.

17 Okay. Thank you, gentlemen.

18 MR. O'DRAIN: To finish answering your
19 other question, what we also have headed in the
20 right direction is the Infectious Disease Control
21 Program. Prior to the last arbitration award, we
22 had very weak guidelines on how that should be
23 addressed. Ever since the hepatitis C issue broke,
24 it became a number-one priority with us, and the
25 Department is starting to address that issue.

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2 COUNCILWOMAN REYNOLDS BROWN: The
3 Department is beginning to address it?

4 MR. O'DRAIN: Yes.

5 COUNCILWOMAN REYNOLDS BROWN: So would it
6 be fair to say, then, that if there were five issues
7 or six issues brought to the table, 50 percent of
8 them were addressed, would that be fair to say?

9 MR. O'DRAIN: Starting to address them.

10 COUNCILWOMAN REYNOLDS BROWN: Okay, all
11 right then. And next year, hopefully, there will be
12 another set of issues that you'll look for the City
13 to address.

14 I guess the point I'm trying to make is,
15 given the limited budget constraints and the
16 decisions that the leadership of all the City
17 departments have to make, nothing is 100 percent.
18 So given that reality, you've presented four in this
19 list here, and the hope is that a year from now, two
20 of the four or three of the four -- or, ideally,
21 four of the four -- will be addressed, correct?

22 MR. O'DRAIN: Correct.

23 COUNCILWOMAN REYNOLDS BROWN: Okay.

24 COUNCILMAN KENNEY: But the only
25 difference, frankly, is that this issue of Act 111

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2 arbitration was something that was, and has been,
3 binding up until this year. In past contracts -- I
4 guess two or three?

5 MR. O'DRAIN: Right.

6 COUNCILMAN KENNEY: In the past two or
7 three, because of the fiscal situation of the City
8 and because of the influence of the PICA Act 11
9 binding arbitration was not, I guess, in the opinion
10 of the labor force fair to them, but they didn't
11 sue, they didn't go to court, and they didn't drag
12 their feet. They sucked it up and ate what was
13 given to them and continued on.

14 This year -- or last year, I guess it was,
15 for whatever reason, we decided to go around the
16 binding arbitration process and sue in court to not
17 uphold, or to dismiss a number of issues that the
18 arbitrator awarded. That really cuts at the essence
19 of binding arbitration.

20 Uniformed employees, public safety
21 employees are not permitted to strike, and that's a
22 good thing -- for us as citizens. And I don't think
23 they would anyway because they're too dedicated to
24 what they do. But to have the City approach this
25 Act 111 as if the binding arbitration is

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2 meaningless, I think, is part of what a lot of the
3 problem with all of our discussions is that it's
4 being conducted with little or no good faith.

5 COUNCILWOMAN REYNOLDS BROWN: Very well.
6 Thank you, gentlemen.

7 COUNCILMAN KENNEY: Councilmember Rizzo,
8 do you have a question?

9 COUNCILMAN RIZZO: No, I'm fine. Thank
10 you, Mr. Chairman.

11 COUNCILMAN KENNEY: Okay. The two chairs
12 of this committee would request that given
13 sufficient time, that you give us some
14 recommendations specifically on equipment -- both
15 engine company, ladder company -- I'm sorry, engine,
16 truck, ladder apparatus and personal safety gear,
17 and give us some recommendations on what you believe
18 we need to make your people safe, 'cause you're the
19 guys that are entering the dwellings and entering
20 the commercial establishments on fire. We'd
21 appreciate hearing from you in a more complete way.

22 COUNCILMAN ORTIZ: Could I add something
23 to that? Also, in terms of the bacteriological and
24 chemical warfare and equipment that you have to
25 fight those menaces and whether they're available to

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2 you and whether they're at the standard that we
3 should be at this point in time, given the current
4 real situation that the nation is facing.

5 COUNCILWOMAN REYNOLDS BROWN: And the only
6 amendment I would offer, with the chairs' consent,
7 is to list those items in priority order, 'cause
8 that would be very helpful to us on this end.

9 Thank you very much.

10 COUNCILMAN KENNEY: Councilman Rizzo?

11 COUNCILMAN RIZZO: Is there a situation in
12 the Fire Department -- we talked about the
13 high-tech, the thermal imaging things that would be
14 nice, expensive, and very helpful. Are there times
15 when firefighters respond to the scene of a fire and
16 they don't have some of the basic equipment -- face
17 shield, safety goggles, gloves, things that -- is
18 there ever a storeroom problem where the
19 standard-issue stuff isn't readily available, like
20 half-mile ray lights that work properly?

21 Is the Fire Department in pretty good
22 shape when it comes to the nuts and bolts and the
23 equipment that they need to first protect themselves
24 and the public?

25 MR. O'DRAIN: Today, I believe we get that

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2 equipment, it's readily available to us. Years ago,
3 we did have problems. But today, the equipment is
4 much easier to get.

5 COUNCILMAN RIZZO: Well, that's good to
6 hear because if you're having a problem with the
7 basics, that would be very, very troubling. It's
8 good to hear that the system is working well.

9 MR. CUBBAGE: It seems that we have a lot
10 more problems toward the end of the fiscal year than
11 we do towards the beginning of it, if you know what
12 I mean. When the City starts to run out of money,
13 sometimes we don't have parts or we don't have this
14 or that, but normally, we're in pretty good shape.

15 COUNCILMAN RIZZO: Good.

16 MR. CUBBAGE: Because they can't order it
17 because they don't have the money until the next
18 fiscal year, that sort of thing. But other than
19 that...

20 COUNCILMAN RIZZO: Good. Thank you, sir.

21 COUNCILMAN KENNEY: Thank you very much.

22 We'd just like to ask the Commissioner to
23 come back one more time. We just have one specific
24 issue we'd like to discuss, and then we can adjourn
25 this hearing for another day.

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2 (Commissioner Hairston returns
3 to witness table.)

4 COUNCILMAN KENNEY: Commissioner, we're
5 most appreciative if you could give us a run-down of
6 the incident in Manayunk Main Street relative to the
7 carbon monoxide exposure, the four firefighters
8 there, the temporary hospitalization, what the
9 situation is. We read in the paper how we think it
10 happened. Perhaps you can confirm that or dispel
11 that relative to roof repairs that were done and a
12 blocked chimney that created the situation, but what
13 could we learn about what we need to do in our
14 firehouses relative to detection? And perhaps even,
15 I understand, there's a technology available that
16 would shut the heating system down in the event that
17 the carbon monoxide level got to a too high a level.

18 COMMISSIONER HAIRSTON: It was work that
19 was being done on the chimney, as I understand it.
20 And there were large chunks from that that ended up
21 getting dropped down into the chimney, which blocked
22 it off, which caused the carbon monoxide level to
23 become very high. The flue pipe had extended
24 further than what would normally be expected into
25 the chimney. So when these large chunks come down

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2 into the base of the chimney, it crushed the flue
3 pipe, causing that go action to happen.

4 We were not informed of that. I believe
5 that to be absolutely irresponsible on the part of
6 the contractor allowing that to happen.

7 COUNCILMAN KENNEY: Who is that; was it a
8 City project or --

9 COMMISSIONER HAIRSTON: I don't know who
10 the contractor is. Chuck may know. I have a person
11 here who is intimately familiar with that and I'll
12 ask Chuck to come up. When Chuck comes up, he can
13 tell you.

14 COUNCILMAN KENNEY: Thank you.

15 COMMISSIONER HAIRSTON: But basically what
16 happened with that -- and we sort of know the story,
17 they were taken to the hospital, one of which was
18 particularly high in terms of its concentration.
19 And so, obviously, that was changed and put back,
20 and we cleaned out the cleanouts put, and then we
21 put out a staff note to make sure that the captains
22 know how to do the cleanouts. I told Chuck to have
23 all of his people go around and check every chimney
24 that we have to make sure that they're all cleaned
25 out.

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2 In a conversation with the union, they
3 made me aware of a piece of equipment that could be
4 installed on the flue pipe. When that happened, I
5 told Chuck about that, and Chuck did some research,
6 and he had some come in today and show him how that
7 system works.

8 The contractor, in my opinion, was just
9 absolutely wrong here and should have told somebody
10 that if you drop large chunks down in a chimney like
11 that. So that's another situation, and I think we
12 ought to take some action based on that. But it
13 caused us to look at all of our heaters because that
14 can be a very dangerous situation.

15 Now, 75 percent of our heaters are what we
16 call the "forced blue flame," and we have an outside
17 contractor who's supposed to check them twice a
18 year, the entire system, to make sure that nothing
19 like that could happen and we couldn't have that
20 backed up.

21 There's another set of them that don't
22 have the forced blue flame, and Public Property, as
23 I understand it, is going to be inspecting all of
24 those, and they want to do the work on those.

25 The State is supposed to do a boiler

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2 inspection on every boiler -- it used to be every
3 year, and the ones that we've been getting back
4 lately have indicated how long a period of time
5 between the times that they were done. But we
6 believe that we ought to inspect every one of them.
7 We believe that we ought to put a device on there
8 that would automatically shut it down. I don't
9 personally care whether it alarms or doesn't alarm.
10 What I want it to do is be tamper-proof so that
11 nobody can do that and start it back up, unless it's
12 a professional who is educated in that area.

13 Now, for a specifics about that particular
14 incident, since Chuck was out there and has been
15 there several times. His name is Chuck LeGradi, and
16 he handles our facilities maintenance for the Fire
17 Department, and he has a crew that works directly
18 for the Fire Department.

19 (Witness comes forward.)

20 COUNCILMAN KENNEY: Good afternoon, sir.
21 Could you please give us your knowledge as to the
22 incident that happened and what the current
23 conditions are.

24 MR. LEGRADI: Yes. The contractor was
25 working on the chimney. We have a renovation

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2 project going on at Engine 12 -- roof, masonry
3 repairs, and chimney repairs. He was supposed to
4 install a new chimney liner and masonry on the brick
5 chimney. He didn't do that and left the original
6 (indiscernible) stone there we told him that had to
7 be removed wanted done and we wanted done what we,
8 you know, specified.

9 He did do that, but he knocked half of it
10 down the chimney and didn't tell anyone. When we
11 went there, the flue pipe was collapsed, the
12 cleanout was collapsed. Risk Management was on
13 site, our haz. mat. people were there.

14 ACC Construction is the general
15 contractor. American Restoration is the
16 subcontractor that did the masonry work.

17 COUNCILMAN KENNEY: And what it is the
18 status of the effort to -- or your opinion of the
19 demonstration you received, I guess, today on this
20 technology that allows the shutoff of the system
21 when the amount of carbon monoxide reaches a certain
22 level?

23 MR. LEGRADI: It was very impressive. The
24 gentleman brought in a small mockup, although he
25 used nail polish remover, he had it set up for nail

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2 polish remover. He just moved the jar past, and it
3 immediately shut off, immediately.

4 COUNCILMAN KENNEY: Right.

5 MR. LEGRADI: It's tamper-proof, it has an
6 O2 sensor -- not an O2, but a carbon monoxide
7 sensor. It also has an alarm that can be run to a
8 remote location such as our watch desk. Very little
9 maintenance. The sensor would have to be replaced
10 every two years at a cost of \$75, which is minimal.

11 COUNCILMAN KENNEY: What's the initial
12 cost of the unit?

13 MR. LEGRADI: The initial cost is \$1,000
14 for the unit, and for installation, another \$1,000.
15 So it would be 2,000 plus or minus maybe \$200,
16 depending on what site we do, from the watch desk or
17 right from the boiler room.

18 COUNCILMAN KENNEY: So about 120,
19 \$125,000?

20 MR. LEGRADI: Well, it's about \$150,000.

21 COUNCILMAN KENNEY: And do we think at
22 this point that we're going to move forward to
23 acquire the devices?

24 COMMISSIONER HAIRSTON: We're going to do
25 everything we can to try to get them.

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2 COUNCILMAN KENNEY: Okay. In the
3 meantime, are we looking at any other type of
4 detection that would be helpful in alerting people
5 in the house that there's a problem until we --

6 COMMISSIONER HAIRSTON: We haven't found
7 anything that's really specifically designed to do
8 that that we can expect to be reliable based on the
9 way firehouses are laid out and so forth. We
10 believe that due diligence in this area in terms of
11 making sure that the chimneys are cleaned, making
12 sure that they are fired properly, making sure
13 people are aware, making sure Chuck's people go and
14 ensure that the chimneys are cleaned out, making
15 sure that the contractor does what he's supposed to
16 do, making sure that the people that work for Public
17 Property do what they're supposed to do should be
18 sufficient until such time as we can get that added
19 on. This is a very serious thing for us.

20 COUNCILMAN KENNEY: Okay, thank you
21 Councilman Rizzo.

22 COUNCILMAN RIZZO: I'd like to follow up
23 on the accusation that the contractor was absolutely
24 responsible for this debris going down the chimney.
25 Who conducted that investigation and how can you be

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2 confident that the chimney -- that, in fact, it was
3 obviously in some need of repair, hadn't collapsed
4 into that flue pipe prior to the -- and with this
5 warm weather that we've been having, I doubt the
6 mechanical systems have been in operation a lot, but
7 it seems like it's -- I'd like to know the source.
8 And I'm not questioning your professional account of
9 it, but I think before we make an accusation that a
10 contractor was responsible for this, I'd like to
11 hear the proof.

12 MR. LEGRADI: Well, the boiler was
13 inspected on 9/26 and a combustion check taken, and
14 the boiler was working fine then.

15 The day after Thanksgiving, which was a
16 Friday, we were all there and the pieces were pulled
17 out from the chimney, and it was quite evident that
18 it was chipped away from the top, it just doesn't
19 fall apart, and that was the coping stone we asked
20 him to remove.

21 So in my mind, there was no doubt in my
22 mind that he knocked that stone down that chimney.

23 COUNCILMAN RIZZO: Okay, thank you.

24 COUNCILMAN KENNEY: Okay. Thank you very
25 much for your testimony. We anticipate looking at

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2 the information obtained in this hearing today and
3 trying to make some recommendations for our budget
4 process. We may have an additional hearing; we'll
5 certainly give you sufficient advanced notice, and
6 we appreciate your patience, your cooperation. And
7 all the information you're provided to us today.

8 Thank you very much.

9 COMMISSIONER HAIRSTON: Okay.

10 COUNCILMAN ORTIZ: This committee stands
11 recessed until the call of the Chair.

12 - - -

13 (Proceedings end at 4 p.m.)

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RE: Resolution No.010575

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Josephine Cardillo

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